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JOURNAL

OF THE HOUSE OF REPRESENTATIVES

OF THE

EXTRA-SESSION

OF THE

FIRST GENERAL ASSEMBLY

OF THE

STATE OF MISSOURI.

BEGUN AND HELD

IN THE TOWN OF ST. CHARLES,

ON MONDAY,

THE FOURTH DAY OF JUNE, IN THE YEAR EIGHTEEN HUNDRED,
AND TWENTY-ONE.

SAINT CHARLES, (Missouri.)

1821.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

Monday, June 4th, 1821.

The Speaker Caldwell, having taken the chair, and the roll being called—The following members appeared in their seats to wit:

From the County of Cooper—Messrs. Lillard, Rogers, Smiley and M'Farland.

From the County of Howard—Messrs. M'Girk, Elston, Monroe, Alcorn, Harris, Williams and Parmer.

From the County of Montgomery—Mr. Allen.

From the County of Pike—Mr. Johnson.

From the County of Lincoln—Mr. Wright.

From the County of St. Charles—Messrs. Evans, Devore and Smith.

From the County of St. Louis—Messrs. Ball, Geyer and Walton.

From the County of Franklin—Messrs. Boulware & Heath.

From the County of Jefferson—Mr. Bates.

From the County of Washington—Messrs. Hudspeth and Stevenson.

From the County of St. Genevieve—Messrs. J. Waters, Relf and Caldwell, (Speaker.)

From the County of Madison—Mr. Strother.

From the County of Wayne—Mr. Rubottom.

From the County of Cape Girardeau—Messrs. English, Graves and Rutter.

From the County of New Madrid—Messrs. Hall and R. H. Waters.

John Young, a representative from the County of Montgomery, to supply the vacancy occasioned by the death of *Jesse B. Boone*.

Duff Green, a representative from the County of Howard, to supply the vacancy occasioned by the death of *John Ray*.

William Biggs, a representative from the county of Pike, to supply the vacancy occasioned by the death of *Daniel Ralls*.

And *William Dougherty*, a representative from the County of Cape Girardeau, to supply the vacancy occasioned by the resignation of *Joseph M'Ferron.*

Each appeared, produced the certificates of their elections, were severally qualified by the honorable *John Rice Jones*, one of the Judges of the Supreme Court, and took their seats.

The speaker (Caldwell) resigned that station—and

On motion of Mr. Ball:

The house proceeded to the election of a speaker, Mr. Geyer and Mr. Stuart, having been severally nominated.

The votes were for Mr. Geyer.

Messrs. Alcorn, Allen, Biggs, Boulware, Bates, Devore, Dougherty, Elston, Evans, English, Graves, Green, Harris, Heath, Hudspeth, Hall, Johnson, Lillard, Monroe, M'Girk, Rogers, Relfe, Rutter, Rubottom, Smiley, Smith, Stevenson, Strother, Williams, Wright, Walton, Waters, St. G. Waters, N. M. Young and Caldwell.——35.

For Mr. Stuart—Messrs. Ball and M'Farland——2.

Whereupon Mr. Geyer, was declared duly elected, and conducted to the chair.

On motion of Mr. Heath:

The house proceeded to the election of a clerk for the present session, Thompson Douglass, was unanimously elected, was duly qualified by the speaker, and entered upon the duties of the office.

On motion of Smith:

The house proceeded to the election of a Door-Keeper, for the present session, and George W. Ferguson, Thadeus Dulin, William Risley and William Eckert, were severally nominated, the votes were;

For George W. Ferguson—Messrs. Ball, Boulware, Bates, Caldwell, Dougherty, Graves, Hudspeth, Hall, Lillard, M'Farland, Rutter, Rubottom, Stevenson, Strother, Walton, Waters, St. Gen. Waters, N. M. and Geyer, speaker—18.

For Thadeus Dulin—Messrs. Allen, Biggs, Elston, English, Johnson, Monroe, Parmer, Smiley, Williams & Young—10.

For William Risley—Messrs. Alcorn, Devore, Green, Harris, M'Girk, Rogers, Relfe, Smith and Wright—9.

For William Eckert—*Messrs.* Evans and Heath—2.

No one of the candidates having a majority of all the votes given, it was decided by the chair, that neither was elected.

On motion of Mr. Ball: It was

Resolved, That on the second vote a plurality should elect, and on the second vote, there were,

For George W. Ferguson—*Messrs* Ball, Boulware, Bates, Caldwell, Dougherty, Graves, Hudspeth, Heath, Hall, Lillard, M'Farland, Rogers, Rutter, Rubottom, Smith, Stevenson, Strother, Walton, Waters, St. G. Waters, N. M. and Geyer, (speaker.)—21.

For Thadeus Dulin—*Messrs.* Alcorn, Allen, Biggs, Elston, English, Green, Johnson, Monroe, Parmer, Relfe, Smiley, Williams and Young—13.

For William Risley—*Messrs.* Devore, Harris, M'Girk and Wright—4.

For William Eckert—*Messrs.* Evans—1.

Whereupon George W. Ferguson, was duly elected, was qualified by the speaker, and entered upon the duties of the office.

On motion of Mr. Heath: It was

Ordered,

That the senate be informed, this house is now organized and ready to proceed to business.

Message from the senate by Messrs. Emmons and Pratte.

MR. SPEAKER,

Messrs. Emmons and Pratte, are appointed a committee to wait upon the house of representatives and inform that body, that the senate being now duly organized, are ready to proceed to business.

On motion of Mr. Heath; It was

Resolved, That a committee of three members be appointed to draft and report Rules for the government of this house.

Messrs. Heath, Alcorn and Waters, St. G. were appointed that committee.

Mr. Heath from the committee appointed for that purpose, reported the same rules, that had been adopted at the last session. And

On motion of Mr. Heath: It was

Resolved, That the rules as reported, be adopted for the government of this house during the present session.

Message from the senate by Mr. Moore:

MR. SPEAKER,

Messrs. Moore and Rector have been appointed a committee on the part of the senate to act jointly with such committee as the house of representatives may appoint, to wait on the governor of this state, and inform him that a quorum of both houses have assembled, and are ready to receive any communications that he may think proper to make.

On motion of Mr. Evans: It was

Resolved, That a committee be appointed on the part of this house, to join the committee appointed by the senate to inform the Governor that a quorum of the two houses have assembled, are organized and ready to receive any communications he may be pleased to make to them.

Messrs. Evans, Relfe and Hall, were appointed that committee.

Ordered, that the senate be informed thereof.

On motion of Mr. Smith. It was

Ordered, That a committee of arrangements be appointed to consist of three members to act jointly with such committee as may be appointed by the senate.

Messrs. Smith, Bates and Graves, were appointed that committee.

Ordered, That the senate be informed thereof.

Mr. Ball gave notice, that on to-morrow he would ask leave to introduce a bill explanatory of an act, supplementary to an act, supplementary to the several laws defining the powers and duties of Justices of the Peace in matters of a civil nature, passed 8th December, 1820.

Mr. Evans from the joint committee appointed to wait on the Governor—Reported, That they had performed that duty; that the Governor informed the committee, he would this day make a communication in writing to each house of the General Assembly.

On motion of Mr. Rutter. It was

Resolved, That the members of this house be divided into the following standing committees, to wit:

A committee on Constitutional Provisions.

A committee on the Judiciary.

A committee of Ways and Means.

A committee of Elections.

A committee on Propositions and Grievances.

A committee of Enrollments.

Messrs. Musick and Steuart, members from the county of St. Louis, and Mr. Murphy, a member from the county of St. Genevieve, appeared and took their seats.

The speaker laid before the house the following statement from the Bank of Missouri, to wit:

Statement of the situation of the Bank of Missouri.

Capital stock, of this Bank and its branche,	$250,000 00
Debts due by individuals - - -	393,983 01
On Deposite - - - - - -	255,562 94
Notes in Circulation - - - -	79,402 00
Due by other Banks - - - - -	15,785 17
Branch bank at Saint Genevieve, capital stock,	40,000 00
Cash on hand - - - - - -	109,531 47
Bills on Collection - - - -	13,619 02
Real estate - - - - - - - -	19,713 70

BANK OF MISSOURI, St. Louis, June 1st, 1821.

Recapitulation.

DR.		CR.	
Capital stock,	$250,000 00	Notes dis.	$393,983 01
On deposite,	255,562 94	Due by other b.	15,785 17
Notes in Circulation,	79,402 00	B. B. St. Gue.	40,000 00
Profit undivided,	7,667 43	On hand,	109,531 47
		On collection,	13,619 02
		Real estate,	19,713 70
	$592,632 37		$592,632 37

LOUIS BOMPART, Cashier.

Thomas F. Riddick, President.

Joseph Phillipson,
Thos. Brady,
Michael Tesson, } **Directors.**
James Kennerly,
Thos. Hempstead.

STATE OF MISSOURI, ss.

BE IT REMEMBERED, That on the day of the date hereof, before Joseph V. Garnier, a Justice of the Peace, in and for the county of St. Louis, and state aforesaid, personally appeared Louis Bompart, Cashier.—Thomas F. Riddick, President—And Joseph Phillipson. Thomas Brady, Michael Tesson, James Kennerly and Thomas Hempstead, Directors of the Bank of Missouri, who being by me duly sworn, on their oath do say, that the within account is a statement of the situation of the said Bank of Missouri, & its funds at this date.

In testimony whereof, I have hereunto set my hand and seal, this first day of June, A. D. 1821,

J. V. Garnier, j. p, (seal.)

On motion of Mr. Heath, It was

Ordered,

That the said statement lie on the table.

Mr. speaker presented the petition of Archibald Huddlestown, praying for the passage of a law authorizing the county court for the county of St. Genevieve, to allow, and pay him for supporting a pauper.

On motion of Mr. Heath, It was

Ordered,

That said petition be referred to this General Assembly at their next session.

Message from the Senate by Mr. Talbot :

Mr. Speaker,

I am instructed to inform the house of Representatives, that Messrs. Talbot and Clark, have been appointed a committee on the part of the senate to act jointly with such committee as the house of representatives may appoint to procure suitable rooms for the accommodation of both Houses of the General Assembly for the present session.

On motion of Mr. Evans:

Messrs. Evans, Hudspeth and Rogers were appointed a committee on the part of this house:

Ordered, that the senate be informed thereof.

Message from the senate by Mr. Moore:

MR. SPEAKER,

I am instructed to inform the house of Representatives, that Mr. Moore is appointed a committee on the part of the senate to act jointly with such committee as may be appointed by the house of representatives to report joint rules for the government of both houses of the General Assembly.

On motion of Mr. Heath:

Messers. Heath, Rutter and Lillard were appointed a committee on the part of this house.

Ordered, That the senate be informed thereof.

Message from the Governor by Mr. Pettus:

Gentlemen of the Senate and of the House of Representatives,

In discharge of the duties required of me by the constitution, I have convened you at this early period, for the purpose of laying before you several matters which appear to me to be urgent in their nature, and of vital importance to the state, hoping from your wisdom and prudence a remedy for some of the evils under which the country labors, which my own reflection has not been able to devise.

This measure, which will necessarily occasion a considerable public expense, has not been adopted without the maturest deliberation, and absolute conviction on my part, that the public interest and safety require the prompt interposition of the General Assembly.

Since the first organization of this government, we have exhibited to the American people, a spectacle novel and peculiar. An American republic on the confines of the Federal Union, exercising all the powers of sovereign government, with no political connection with the United States, and nothing to bind us to them, but a reverence for the same principles, and an habitual attachment to them and their government.

And, although we had the best grounded hopes of an immediate admission into the Union, such has been the warm excitement produced by the Missouri Question, both in and out of Congress, that we have not only been dsappointed in this our just expectation, but the nation itself has been brought to the verge of ruin—but since better principles, and a milder policy have been adopted, the Congress of the United States has passed a resolution for the admission of this state into the Federal Union on an equal footing with the original states.

Be it ours then to shew how highly we appreciate the blessings of the Federal Constitution, and to demonstrate to the nation at large, that while we add another member to the Federal family, we bring along with us principles that will ensure its stability and duration.

The President of the United States has caused to be transmitted to me an authenticated copy of the above mentioned Resolution, which is herewith presented to the General Assembly.

I deem it proper to recommend the immediate consideration of that subject, and the passage of such legislative act as is required by the resolution, carefully avoiding at the same time, every thing that might impair our political rights, or draw in question the dignity and independent character of the State.

However momentous a speedy decision on this subject may be, when viewed in connection with the general politics of the country, it is of no less importance when considered with reference to our local interests—as we expect to increase in wealth and numbers by the accession of citizens from other states, it is our true policy to remove every obstacle, and hold out every inducement to emigration. Our unsettled political condition has already prevented thousands from making our country their home, whose capital and productive labor, while they augmented the general stock, would have divided and & diminished the burthen of taxation. Comparitively but a small portion of our soil is in a state of production,—if by encouraging emigrants to settle and improve it, foreign wealth and industry can be brought hither, land itself may be considered as an article of exportation, and will compensate for the enormous drain of the circulating medium, produced by the commercial balance which is constantly against us, as it must be against every new country, which is rather in a state of preparation, than of the actual production of the necessaries and luxuries of life.

There is another subject of the utmost importance to which I would call the attention of the General Assembly. Remote causes over which the people of this state had no control, and in which they had little participation, have produced a depression in commerce and credit, which has been severely felt throughout the continent—the evil beginning in the Atlantic cities, has gradually extended itself to this state, and produced pecuniary embarrassments and distress, both public & private, heretofore unknown among us—I feel myself unable to point out a remedy commensurate with the evil, but content myself with suggesting to the General Assembly, that if there be any feasible plan of relief, the public exigencies seem imperiously to require its adoption, if it may be done without trenching on the fundamental principles of the constitution, those great and sacred land marks, which should never be removed or departed from.

At the last session of the General Assembly it was deemed expedient to propose several alterations in the constitution; as my views were then made known upon that subject, it cannot be necessary that they should be now repeated; I will therefore merely call your attention to the subject, for the purpose of reminding you, that if not now acted upon, the matter will be beyond the reach of this general assembly, as your regular session in the approaching autumn will be too late to allow the time for publication required by the constitution.

It has heretofore been impossible to establish a regular system of finance, and to give to our resources their utmost productive quality—this cause, together with the enlargement of expense made necessary by the change and organization of the government, has rendered the receipts of the treasury inadequate to its necessary disbursements. Your best attention will, therefore, be necessary to such branches of the revenue, as have not yet been fully developed, and applied to public service; and in connection with this subject, the establishment of a rigid economy in every department of the state, and the retrenchment of every unnecessary expense are objects greatly to be desired.

Gentlemen,—As you are now assembled for the consideration of matters special and urgent in their nature, I will suggest the propriety of shortening your session as far as is consistent with the public good, and of postponing until your regular session in the fall, such measures as may be thought necessary for the general amendment of the law.

A. M'Nair.

St. Charles, 4th June, 1821.

DEPARTMENT OF STATE,
WASHINGTON, March 27th, 1821.

His Excellency Alexander M'Nair,
Governor of Missouri,

SIR,

By direction of the President of the United States, I have the honor of transmitting to your Excellency an authenticated copy of the Resolution of Congress for admitting the state of Missouri into the Union, and request the favor of an answer acknowledging the receipt of this communication.

I am with great respect,
Sir,
Your very humble and obdt. servt.
JOHN QUINCY ADAMS.

RESOLUTION

Providing for the admission of the State of Missouri into the Union on a certain condition.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Missouri shall be admitted into this Union, on an equal footing with the original states in all respects whatever, upon the fundamental condition, that the fourth clause of the twenty sixth section of the third article of the constitution submitted on the part of said state to congress, shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the states in this union, shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the constitution of the United States. *Provided*, That the legislature of the said state, by a Solemn Public Act, shall declare the assent of the said state, to the fundamental condition and shall transmit to the President of the United States, on or before the fourth Monday in November next, an authentic copy of the said act, upon the receipt whereof, the President by proclamation, shall announce the fact, whereupon, and without any further proceedings on the part of Congress, the admission of the said state into this union, shall be considered as complete.

JOHN W. TAYLOR,
Speaker of the House of Representatives.
JOHN GAILLARD,
President of the Senate, pro tempore.

WASHINGTON, *March 2d*, 1821.
Approved,
JAMES MONROE.

To all to whom these Presents shall come. Greeting:

I, certify, That the annexed writing is a true copy of a resolution of Congress, entitled "Resolution providing for the "admission of the state of Missouri into the Union on a certain condition" compared with the roll in this office.

In testimony whereof, I, JOHN QUINCY ADAMS, Secretary of State of the United States, have hereunto subscribed my name, and caused the seal of the Department of State to be affixed.

[L.S.]

Done, at the City of Washington, this twenty seventh day of March, A. D. 1821, and of the Independence of the United States of America, the forty-fifth.

JOHN QUINCY ADAMS.

Motion of Mr. Ball :

To refer the said Message and Documents to a committee of the whole house on the state of the Republic.

Was decided in the negative.

On motion of Mr. Smith. It was

Ordered,

That the said Message and Documents lie on the table.

On motion of Mr. Rutter. It was

Ordered,

That the Clerk of this house cause five hundred copies of the Governor's Message, and the accompanying Documents to be printed at the office of the "Missourian" for the use of the General Assembly, and cause the same to be equally distributed among the members.

Message from the Senate, by Mr. Emmons :

MR. SPEAKER,

I am instructed to inform the House of Representatives, that Messrs. Emmons, Talbot and Clarke, are appointed a committee on that part of the Governor's Message, which relates to the amendments of the constitution, with leave to report such amendments as they may deem necessary.

On motion of Mr. Bates : It was

Ordered,

That the committee of Arrangements appointed this day, be discharged.

On motion of Mr. Heath, It was

Resolved, That this House do now proceed to elect an assistant Clerk for the present session.

George W. Atcheson, David B. Hoffman and Samuel C. Owens, were severally nominated. The votes were,

For George W. Atcheson.—Messrs. Alcorn, Caldwell, Devore, Dougherty, Evans, Graves, Green, Harris, Hudspeth.

Hall, Johnson, Lillard, Murphy, M'Girk, Parmer, Rogers, Smith, Strother, Williams and Wright.—20.

For David B. Hoffman.—Messrs. Biggs, Ball, Bates, Elston, English, Musick, Relfe, Stuart, Stevenson, Walton, Waters, St. G. Waters, N. M. and Geyer, speaker.—13.

For Samuel C. Owens—Messrs. Allen, Boulware, Heath, Monroe, M'Farland, Rutter, Rubottom, Smiley and Young—9.

No one of the candidates having a majority of all the votes given, it was decided by the chair that neither was elected.

On the second vote, there were:

For George W. Atcheson—Messrs. Alcorn, Allen, Caldwell, Devore, Dougherty, Evans, Graves, Green, Harris, Heath, Hudspeth, Hall, Johnson, Lillard, Monroe, Murphy, M'Girk, M'Farland, Parmer, Rogers, Rutter, Rubottom, Smiley, Smith, Strother, Williams, Wright and Young—28.

For David B. Hoffman—Messrs. Biggs, Ball, Bates, Elston, English, Musick, Relfe, Stuart, Stevenson, Walton, Waters, St. G. Waters, N. M. and Geyer, speaker—13.

For Samuel C. Owens—Mr. Boulware—1.

Whereupon, George W. Atcheson, was declared duly elected, was qualified by the speaker, and entered upon the duties of the office.

Message from the Senate by Mr. Emmons:

Mr. Speaker,

I am instructed to inform the house of representatives, that Messrs. Emmons, Pratte and Cummins are appointed a committee to take into consideration the several laws allowing fees and compensation to the several officers of this state, see what alterations are necessary, with leave to report by bill or otherwise.

On motion of Mr. Evans: It was

Resolved, That a committee be appointed to procure such printing to be done, as may be necessary for this house.

Messrs. Evans, Stevenson and Hall, were appointed that committee.

On motion of Mr. Heath,. It was

Resolved, That a committee of 'Revisal and unfinished business" be appointed.

Messrs. Heath, Walton and Waters, N. M. were appointed that committee.

On motion of Mr. Bates: It was

Resolved, That the clerk of this house be authorised to procure such articles of Stationary as the House of Representatives may want, by order of the house.

Motion of Mr. Green:

That a committee of three members be appointed on the part of this house, together with such committee as may be appointed on the part of the Senate, to examine into the state of the Bank of Missouri, and report thereon. Decided in the negative.

The house adjourned to 9 o'clock to-morrow morning.

◆

Tuesday, June 5th, 1821.

In pursuance of the resolution of yesterday, the Speaker appointed, the following standing committees, to wit:

Committee on Constitutional Provisions—Messrs. Rutter, English. Harris, Hudspeth, Murphy, Rogers and Waters, St. Genevieve.

Committee on Propositions and Grievances—Messrs. Lillard, Boulware, Parmer, Rubottom, Strother, Wright and Allen.

Committee of Ways and Means—Messrs. Stevenson, Green, Young, Relfe, M'Farland, Johnson and Hall.

Committee on the Judiciary—Messrs. Smith, Stuart, Evans, Alcorn, Heath, M'Girk and Williams.

Committee of Elections—Messrs. Ball, Caldwell, Smiley, Monroe, Waters, N. M. Graves and Elston.

Joint Committee of Enrollments—Messrs. Devore, Bates, Leduc, Musick, Biggs, Walton and Dougherty.

Mr. M'Girk, presented the petition of sundry inhabitants of the county of Howard praying that Justices of the Peace may be required by law to give bond and security for the faithful performance of their duties.

On motion of Mr. Evans:

The said petition was referred to this General Assembly at their next session.

Mr. Alcorn presented the petition and documents of Nicholas S. Burckhart, sheriff of Howard county, praying to be relieved from the fine of twenty per centum on the tax list of the said county of Howard for the year 1820.

On motion of Mr. Alcorn:

The said petition and documents were referred to the committee on propositions and grievances, with leave to report by bill or otherwise.

Message from the senate by Mr. Rector:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have appointed Messrs. Rector, Perry and Caldwell, a committee to act jointy with such committee as the house of representatives may appoint on that part of the Governor's message relating to the pecuniary distresses of the citizens of this state.

On motion of Mr. M'Girk:

The credentials of Messrs. Biggs, Dougherty, Green and Young, were referred to the committee of elections.

Mr. Ball, pursuant to notice, asked and obtained leave to introduce a bill explanatory of an act supplementary to an act supplementary to the several laws defining the powers and duties of justices of thepeace in matters of a civil nature, passed 8th December, 1820, which was read a first time.

Ordered,

That said bill pass to a second reading.

Mr. Green gave notice that on to-morrow he would ask leave to introduce a resolution to commit the report of the Bank of Missouri to a select committee of three members with instructions to enquire if there be any violation of the charter of that bank, and report to this house.

On motion of Mr. M'Girk, it was

Resolved, that the clerk of this house be authorised to receive proposals for furnishing this house with six additional tables and twenty four chairs, and that such proposals, when received, be laid before this house by the speaker.

Mr. Rutter gave notice that on to-morrow he would ask leave to introduce a bill to reduce the compensation of the members of the General Assembly.

On motion of Mr. Green, it was

Resolved, that a committee of five members be appointed on the part of this house to act jointly with the committee appointed by the senate, on that part of the Governor's message relating to the pecuniary distresses of the citizens of this state, and that said committee have leave to report by bill or otherwise.

Messrs. Green, Heath, Rutter Bates and Johnson were appointed that committee.

Ordered,

That the senate be informed thereof.

Motion of Mr. Devore:

That so much of the Governor's message as relates to the admission of Missouri into the Federal Union, on an equal footing with the original states, on a certain condition, be referred to a select committee of five members, with leave to report by bill or otherwise.

Was decided in the negative.

On motion of mr. Heath. It was,

Resolved, That so much of the Governor's message, as relates to the admission of Missouri into the Federal Union, be committed to a committee of the whole house, on the affairs of the state.

Message from the senate, by mr. Moore:

MR. SPEAKER,

I am instructed to inform the house of representatives, that messrs. Moore, Logan and Byrd, are appointed a committee to prepare and report a bill to reduce the compensation of the members and officers of the present General Assembly, from what was allowed by law at the last session.

Message from the senate, by mr. Moore.

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have elected Arthur Nelson, Secretary of the Senate for the present session.

mr. Heath from the Joint committee appointed to draft and report Joint Rules for the government of both Houses, reported the same rules which had been adopted at the last session.

On motion of Mr. Bates:

The said rules as reported, were agreed to.

Ordered,.

That the senate be informed thereof.

Message from the senate, by mr. Moore:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the Joint Rules, reported by the committee for the government of both houses, have been adopted by the senate.

On motion of Mr. Heath; It was,

Resolved, That the Door-Keeper, be instructed to procure necessary vessels and furnish this house with water.

Message from the senate by mr. Logan:

MR. SPEAKER,

I am instructed to inform the house of representatives, that messrs. Perry and Pratte, have been appointed a committee to draft a memorial praying Congress to grant to the state of Missouri, all, or a part of the Lead Mines within the limits of the same.

On motion of mr. Heath: It was

Resolved, That so much of the Governor's message, as relates to constitutional amendments, be referred to the committee on constitutional provisions.

mr. Leduc a member from the county of St. Louis, appeared and took his seat.

mr. Green of the Joint committee on that part of the Governor's message, relating to the pecuniary distress of the citizens of this state, asked and obtained leave to sit during the setting of the house, mr. Heath gave notice, that on Thursday next, he would ask leave to introduce a bill to provide for the great seal of the state of Missouri.

On motion of mr. Ball:

The rule of the house was dispensed with, (two thirds of the members concurring) and the bill explanatory of an act supplementary to an act, supplementary to the several laws defining the powers and duties of Justices of the Peace, in matters of a civil nature, passed 8th December, 1820, was read a second time, committed to a committee of the whole house, and made the order of the day for this day.

On motion of mr. Ball:

The house resolved itself into a committee of the whole, and took into consideration, the said bill, mr. Relfe, in the chair, after some time spent therein, the committee rose, reported progress, and asked leave to sit again, which was refused.

On motion of mr. Ball: It was

Ordered,

That the said bill be engrossed and read a third time to-morrow.

mr. Evans from the joint committee appointed to procure rooms for the accommodation of the General Assembly—Reported:

That the rooms now occupied by the General Assembly with an adjoining one for a committee room, are offered for their accommodation without expense to the state, but subject to be repaired at the expense of the state if injured, which was agreed to.

Ordered,

That the senate be informed thereof.

On motion of mr. Stevenson. It was

Resolved, That the committee on the judiciary be instructed to prepare and report a bill authorizing the rendition of judgments upon the confessions of the defendant in proper person, without original process, in the presence of the plaintiff or his agent, and that the Circuit Courts shall be considered as always open for that purpose.

Message from the senate by mr. Talbot.

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have agreed to the report of the joint committee appointed to procure rooms for the accommodation of both houses of the General Assembly.

mr. Biggs gave notice, that on to-morrow, he would ask leave to introduce the bill giving further powers to the county courts and to the officers of said courts.

Previous to the adoption of the joint rules of both houses by this house. It was

On motion of mr. Smith :

Ordered,

That the several standing committees of this House appointed to day, be reduced to the number of five.

After the said rules were adopted, by one of which six members are required to be appointed by this house, on the joint committee of enrollments; it was decided by the chair, that so much of the foregoing order as related to such committee was recinded by the adoption of the said rule—And thereupon

messrs. English and Hudspeth, were discharged from the committee on Constitutional Provisions.

messrs. Rubottom and Boulware, from the committee on Propositions and Grievances.

messrs. M'Farland and Relfe, from the committee of Ways and Means.

messrs. Evans and Alcorn, from the committee on the Judiciary.

messrs. Waters, N. M. and Monroe, from the committe of Elections—and

mr. Musick, from the joint committee of Enrollments.

The house adjourned to 9 o'clock to-morrow morning.

Wednesday, June 6th, 1821.

Mr. Speaker presented the memorial of Benjamin Young, presiding Justice of the County Court of Callaway county, on the subject of defects in the law relative to Roads and Highways, and the bonds required to be given by Collectors,

On motion of Mr. Heath:

The said report was referred to the committee on the judiciary.

Mr. Smith from the judiciary committee reported a bill changing the terms of the circuit courts in certain counties, which was read a first time.

Ordered,

That said bill pass to a second reading.

Mr. Ball from the committee of elections reported that the committee of elections to whom was referred the credentials of William Biggs, William Dougherty, Duff Green and John Young, beg leave to report that they have had the subject under consideration, and find the aforesaid gentlemen to have been duly elected and returned as members of this house.

In which report the house concurred.

Mr. Ball gave notice that on to-morrow he would ask leave to introduce a bill supplementary to the several acts heretofore passed defining the powers and duties of justices of the peace in matters of a civil nature.

Message from the senate by Mr. Emmons:

MR. SPEAKER,

I am instructed to inform the house of representatives, that Mr. Emmons, of the select committee appointed on that part of the Governor's message relating to amendments of the constitution of this state, has reported sundry amendments thereto, which have been read a first time.

Mr. Green gave notice that on Saturday next he would ask leave to introduce a bill supplementary to an act defining the limits of Howard county, and laying off new counties within the limits of said county as heretofore defined.

Mr. Young gave notice that on to-morrow he would ask leave to introduce a bill to amend an act providing for levying, assessing and collecting state and county taxes.

Mr. Heath gave notice that on to-morrow he would ask leave to introduce a bill supplementary to an act prescribing the duties of State Treasurer and Auditor of public accounts, and regulating their offices.

Mr. Elston gave notice that on to-morrow he would ask leave to introduce a bill to authorise the commissioners of Boone county to sell the lots in the town of Columbia upon an entire credit.

The engrossed bill entitled "an act explanatory of an act supplementary to an act, supplementary to the several laws defining the powers and duties of justices of the peace in matters of a civil nature, passed 8th Dec. 1820," was read a third time and passed. Title "An Act," sent to the senate for concurrence.

Mr. Speaker, in pursuance of a resolution of yesterday, laid before the house the proposals of Thomas P. Capes, and H. Barber, & co. for furnishing the house with tables and chairs.

On motion of Mr. Smith, it was

Ordered,

That the clerk of this house be authorised to receive further proposals until to-morrow morning.

On motion of Mr. Bates:

That the number of tables and chairs to be contracted for be reduced to two tables and twelve chairs.

Was decided in the negative.

On motion of Mr. Heath:

The 28th rule of the house was dispensed with—(two thirds of the members concurring,) and he asked and obtained leave to introduce a bill supplementary to an act prescribing the duties of State Treasurer and Auditor of public accounts, and regulating their offices, which was read a first time.

Ordered,

That said bill pass to a second reading.

On motion of Mr. Smith:

The rule of the house was dispensed with—(two thirds of the members concurring,) and the bill changing the terms of the circuit courts in certain counties; was read a second time.

Ordered,

That said bill be engrossed and read a third time on to-morrow.

Mr. Biggs, agreeably to notice, asked and obtained leave to introduce a bill giving further powers to the county courts, & to the officers of the county courts, which was read a first time.

On motion of Mr. Leduc :

The further consideration of said bill was postponed until the first Monday of November next.

Mr. Green, agreebly to notice, submitted the following resolution, to wit :

Resolved, that the report of the president and directors of the bank of Missouri, be committed to a select committee of three members, with instructions to enquire if there be any violation of the charter of that bank, and report to this house,

Which was adopted, and Messrs. Green, Evans and Relfe were appointed that committee.

Message from the senate by Mr. Moore ;

MR. SPEAKER,

I am instructed to inform the house of representatives that Mr. Moore, of the committee appointed to prepare and report a bill to reduce the compensation of the members of the general assembly and the officers thereof from what was allowed by law at the last session, has reported a bill for that purpose, which has had its first reading.

Message from the Governor by Mr. Pettus :

To the Senate and House of Representatives,
Of the State of Missouri.

The commissioners appointed by an act of the last session of the General Assembly, entitled "An Act providing for the location of the permanent seat of Government for the State of Missouri," have inclosed their report to me, which is herewith sent to the General Assembly.

A. M'Nair.

St. Charles, 4th June, 1821.

The said message and documents being read, were
On motion of Mr. Smith.

Ordered,

To be laid on the table, and that sixty copies of the report of the commissioners be printed for the use of this House.

On motion of Mr. Rutter,

The House resolved itself into a Committee of the whole on the affairs of the State, and took into consideration, so much of the Governor's message as relates to the admission of Missouri into the Union upon a certain condition, Mr. Stephenson in the chair, after some time spent therein, the Committee rose, reported progress, and obtained leave to sit again, which was granted,

On motion of Mr. Rutter,

The house again resolved itself into a committee of the whole, on the affairs of the state, and took into consideration the same subject, mr. Stephenson in the chair, after some time spent therein, the committee rose, and reported sundry resolutions and a preamble,

motion of mr. Green:

That the said report lie on the table until to-morrow—was decided in the negative.

On motion of mr. Bates. It was

Ordered,

That the said report be referred to a select committee of five members.

Messrs. Bates, Ball, Rutter, Waters, St. G. and Alcorn, were appointed that committee.

The house adjourned to 9 o'clock to-morrow morning.

* * *

Thursday, June 7th, 1821.

mr. Parmer presented sundry petitions of the inhabitants of Ray County, praying for the establishment of a new county within the limits of said county.

motion of mr. Stuart.

That the consideration of said petitions be postponed until the next session of this General Assembly.

Was decided in the negative.

On motion of Mr. Parmer, it was

Ordered,

That the said petition be referred to the committee on propositions and grievances.

Mr. Green presented the petition of sundry inhabitants of the county of Howard praying to be annexed to the county of Chariton.

Motion of Mr. Green:

To refer said petition to the committee on propositions and grievances.

Was decided in the negative.

On motion of Mr. Heath:

That the said petition be laid on the table.

Was decided in the negative.

Motion of mr. M'Girk:

That the further consideration of said petition be postponed until the first day of January, 1856.

Was decided in the negative.

Motion of mr. Bates:

That the further consideration of said petition be postponed until the next session of this General Aesembly.

Was decided in the negative.

Motion of mr. Stuart:

To reconsider the vote taken on referring said petition to the committee on propositions and grievances.

Was decided in the affirmative.

On the question shall the said petition be referred to the committee on propositions and grievances.

Was decided in the affirmative.

mr. Smith from the committee on the judiciary, to whom was referred the memorial of Benjamin Young, presiding justice of the county court of Callaway county—reported:

That there appears to be no necessity for acts of legislation on the subjects in that memorial mentioned; in which report the house concurred.

mr. Lillard from the committee on Propositions & Grivances to whom was referred the petition & documents of Nicholas S. Burckhart, sheriff of Howard county.—Reported :

A bill for his relief, which was read a first time.

Ordered, That said bill pass to a second reading.

On motion of Mr. Alcorn :

The rule of the house was dispensed with—(two thirds of the members concurring,) and the said bill was read a second time.

On motion of Mr. Evans : It was

Ordered,

That said bill be engrossed and read a third time on tomorrow.

mr. Heath from the committee of Revisal and unfinished business, reported,

That they find as unfinished business laid over from the last session of this General Assembly,

A resolution concerning the laws.

A memorial from Ste. Genevieve county for centering the county seat.

A petition of John Findley relative to building a toll bridge, with a bill reported thereon.

A bill for removing the jail in the town of Jackson, county of Cape Girardeau.

A bill concerning Mills and Mill-Dams.

A bill to incorporate the town of St. Louis, and establish a court therein.

A bill establishing a state bank, and

A bill directing the manner of selecting and returning jurors.

They further beg leave to report that none of the aforesaid bills are of so much importance as to require the immediate attention of this session, and are of opinion they should be referred to the next session of this General Assembly.

In which report the house concurred.

Mr. Bates from the select committee to whom was referred the report of the committee of the whole, on so much of the Governor's message as relates to the admission of Missouri into the Union, made a report accompanied by a bill,

Which was read a first time.

Ordered, That said bill pass to a second reading.

On motion of Mr. Heath, It was

Ordered,

That one hundred copies of the report be printed.

On motion of mr. Green:

The rule of the house was dispensed with—(two thirds of the members concurring,) and he asked and obtained leave to introduce a bill supplementary to an act defining the limits of Howard county and laying off new counties within the limits of said county as heretofore defined.

Which was read a first time.

Ordered,

That said bill pass to a second reading.

mr. Rutter pursuant to notice, asked and obtained leave to introduce a bill to reduce the compensation of the members of the General Assembly—which was read a first time, and rejected.

mr. Ball pursuant to notice, asked and obtained leave to introduce a bill, supplementary to the several acts heretofore passed, defining the powers and duties of Justices of the Peace in matters of a civil nature—which was read a first time.

Ordered,

That said bill pass to a second reading.

On motion of Mr. Smith:

The rule of the house was dispensed with, (two thirds of the members concurring,) and the said bill was read a second time, committed to a committee of the whole house and made the order of the day for Monday next.

mr. Elston pursuant to notice, asked and obtained leave to introduce a bill to amend an act, defining the limits of Howard county and laying off new counties within the limits of said county as heretofore defined—which was read a first time.

Ordered,

That said bill pass to a second reading.

mr. Stuart gave notice, that on Saturday next, he would ask leave to introduce a bill for the relief of Debtors and Creditors.

On motion of Mr. Smith: It was

Resolved, That the Governor of this state, be requested to inform this house, what arrangements, if any, have been made for Printing the Journals of the two Houses at the last session.

mr. Biggs, submitted the following resolution, to wit:

Resolved, That the sense of this house be taken, whether they will take any further matter into consideration at this special called session, that is recommended by the governor's message, and what is now before them.

On motion of mr. Leduc: It was

Ordered,

That the said resolution lie on the table.

mr. Speaker laid before the house, the further proposals of messrs. Barber and Co. and T. W. Capes, for furnishing Tables and Chairs.

All of which propositions were rejected.

mr. Evans presented a proposition of C. Shepperd for furnishing the Tables.—Which was also rejected.

The bill supplementary to an act, prescribing the duties of State Treasurer and Auditor of Public accounts and regulating their offices—was read a second time, committed to a committee of the whole house, and made the order of the day for to-morrow.

The engrossed bill changing the terms of the Circuit courts in certain counties was read a third time and passed, title "an act" sent to the senate for concurrence.

mr. Rutter from the committee on constitutional provisions, to whom was referred so much of the governor's message, as relates to constitutional amendments—reported sundry amendments to the constitution—which were read a first time.

motion of mr. Leduc.

That the said proposed amendments be laid on the table.

Was decided in the negative.

Ordered,

That the said proposed amendments pass to a second reading.

mr. Evans from the committee appointed to procure such Printing to be done as this house may require.—Reported,

That the only propositions they have received was from Robert M'Cloud, of St. Charles, and recommended that the proposition be accepted.

On motion of Mr. Smith, It was

Resolved, That the proposition of Robert M'Cloud for the Job Printing be accepted.

mr. Johnson submitted the following resolution, to wit:

Resolved, by the General Assembly of the State of Missouri, That this present session take up no business of legislation. other than, that in compliance with the governor's message, after the eighth day of this present month.

Which was rejected.

The house adjourned to 8 o'clock to-morrow morning.

◆

Friday, June 8th, 1821.

mr. M'Girk, presented sundry petitions and documents from the inhabitants of Ray county, remonstrating against a division of said county.

On motion of mr. M'Girk:

The said petitions and documents were referred to the committee on Propositions and Grievances.

mr. Parmer presented sundry petitions from the inhabitants of Howard county, praying to be annexed to the county of Chariton.

On motion of mr. Parmer.

The said petitions were referred to the committee on Propositions and Grievances.

mr. M'Girk presented the petition of Samuel Prewitt praying that he may be permitted by law, to file a transcript of letters of administration, and the proceedings thereon, from the County Court, of Howard county, in the county court of

Ray county, and proceed to settlement in said county court of Ray county.

On motion of mr. M'Girk.

The said petition was referred to the committee on Propositions and Grievances.

mr. Steuart gave notice, that on Tuesday next, he would ask leave to introduce a bill for the relief of persons against whom executions have already issued.

The bill to amend an act defining the limits of Howard county and laying off new counties within the limits of said county as heretofore defined, was read a second time.

Ordered,

That the said bill be engrossed and read a third time on to-morrow,

The proposed amendments to the constitution of this state, were read a second time.

motion by mr. Evans,

That the said proposed amendments be committed to a committee of the whole house, and made the order of the day for to-morrow.

Was decided in the negative.

On motion of mr. Heath: It was

Ordered,

That the said proposed amendments be committed to a committee of the whole house, and made the order of the day for Monday next.

Message from the senate by Mr. Moore:

Mr. Speaker,

I am instructed to inform the house of Representatives, that the senate concur in passing the bill entitled "an act, explanatory of an act supplementary to an act, supplementary to the several laws defining the powers and duties of Justices of the Peace in matters of a civil nature passed 8th December, 1820, which is herewith returned.

On motion of mr. M'Girk: It was

Resolved, That a committee be appointed to return said bill to the senate for the signature of their secretary.

mr. M'Girk, was appointed that committee.

The bill supplementary to an act, defining the limits of Howard county, and laying off new counties within the limits of said county as heretofore defined, was read a second time.

Ordered,

That said bill be engrossed and read a third time on to-morrow.

The bill entitled a Solemn Public Act, declaring the assent of this state to the fundamental condition contained in a resolution, passed by the Congress of the United States, providing for the admission of this state into the Union, on a certain condition, was read a second time, committed to a committee of the whole house, and made the order of the day for to-morrow.

Message from the Senate, by Mr. Emmons:

MR. SPEAKER,

I am instructed to inform the House of Representatives, that the senate do concur in passing the bill entitled an act, changing the terms of the Circuit Courts in certain counties, which bill is herewith returned.

The engrossed bill for the relief of Nicholas S. Burckhart, sheriff of Howard county, was read a third time, and passed, title "an act" sent to the senate for concurrence.

The resolution submitted yesterday, by mr. Biggs, was taken up read, and rejected.

On motion of Mr. Alcorn: It was

Ordered,

That the report of the commissioners and documents, relative to the location of the permanent seat of government of the state of Missouri, be laid on the table.

On motion of mr. Devore: It was

Ordered,

That the Editor of the "Missourian" be permitted to copy the Journals of this house, at the clerks table.

On motion of Mr. Heath:

The house resolved itself into a committee of the whole, and took into consideration the bill supplementary to an act, prescribing the duties of State Treasurer and Auditor of Public Accounts and regulating their offices.

mr. Waters, St. Genevieve, in the chair:

After some time spent therein, the committee rose, and reported said bill with sundry amendments, in which the house concurred.

Motion of Mr. Smith:

That the said bill as reported lie on the table—was decided in the negative.

On motion of mr. Heath. It was,

Ordered,

That the said bill be engrossed and read a third time, on Monday next.

mr. Green introduced a resolution relative to the wearing of Domestic Manufactures, which was read a first time.

On the question, shall the resolution be read a second time, it was decided in the negative.

motion of mr. Harris:

To reconsider the vote on the second reading of the said resolution—Was decided in the affirmative.

On motion of mr. Green. It was

Ordered,

That said resolution lie on the table.

mr. Devore presented the certificate of the Clerk of the county court of Pike county, relative to the attendance of the Justices of the said county court.

On motion of mr. Devore: It was

Ordered,

That the certificate lie on the table.

mr. Ball asked and obtained leave of absence for mr. Walton, until Monday next.

The house adjourned to 8 o'clock, to-morrow morning.

◆

Saturday, June 9th, 1821.

mr. Speaker laid before the house the following communication from the Governor in pursuance of a resolution of the 7th inst. to wit:

St. Charles, 8th June, 1821.

SIR,

In compliance with the resolution of yesterday requesting information what arrangements, if any, have been made for the Printing of the Journals of the two houses of the last session, I have the honor to state, to the House of Representatives, that about the time of Printing the laws of last session, enquiry was made of the Printers, respecting the Printing of the Journals. The proposals by them made exceeded the sum that had been appropriated for that object after paying for copying, printing and distributing the laws, and copying the journals—which were not accepted.

Since the amount that will remain after paying for those things has been ascertained, new proposals have been received, from the several printers, some of whom offer terms that will be within the residue of the appropriation for those purposes—as yet neither of the proposals has been accepted, as they were made only a few days before your present meeting, at which I had intended to bring the subject before the General Assembly, when you could determine the propriety of publishing those of the last and present session together, which is respectfully submitted to your consideration.

I have the honor, to be

Very respectfully, your obt. servant,

A. M'Nair.

Honorable Henry S. Geyer,

Speaker of the House of Representatives.

On motion of Mr. Devore, it was

Ordered,

That the said communication, lie on the table.

The engrossed bill to amend an act defining the limits of Howard county, and laying off new counties within the limits of said county as heretofore defined—was read a third time, and passed, title "an act" sent to the senate for concurrence.

The engrossed bill supplementary to an act, defining the limits of Howard county, and laying off new counties within the limits of said county as heretofore defined—was read a third time.

motion of Mr. Alcorn:

To amend said bill by way of rider, inserting after the word "cases" at the end of the 20th line of the 1st section, the words "at their own expense"—which was read a first and second time, the rule of the house having been previously dispensed with (two thirds of the members concurring.)

On motion of mr. Alcorn; It was

Ordered,

That the said amendment be engrossed, and with the bill, be read a third time on Monday next.

On motion of mr. Ball:

To reconsider the vote, ordering the said amendment to be engrossed and read a third time on Monday next—was decided in the affirmative.

The question then recurring, shall the said amendment be engrossed and read a third time on Monday next—it was decided in the negative.

motion of Mr. M'Girk:

That the rule of the house be dispensed with, and the said amendment engrossed, and read a third time to day—was decided in the negative.

The said bill was then passed, title "an act" and sent to the senate for concurrence.

The engrossed bill supplementary to an act, prescribing the duties of State Treasurer and Auditor of Public Accounts, and regulating their offices—was read a third time, and passed, title "an act" sent to the senate for concurrence.

On motion of Mr. Evans; It was,

Ordered,

That the report of the commissioners, relative to the location of the permanent seat of government, be referred to the committee on the Judiciary.

On motion of mr. Devore, it was

Ordered,

That the certificate of the clerk of the county court of Pike county, relative to the attendance of the justices of the said county court, be referred to this General Assembly at their next session.

mr. Green from the joint committee to whom was referred so much of the Governor's message as relates to the pecuniary distresses of the citizens of this state, reported

A bill for the establishment of a Loan Office, and for other purposes, which was read a first time.

Ordered,

That said bill pass to a second reading.

mr. Stuart, pursuant to notice, asked and obtained leave to introduce a bill for the relief of debtors and creditors, which was read a first time,

Ordered,

That said bill pass to a second reading.

Message from the senate by Mr. Moore:

MR. SPEAKER,

I am instructed by the senate to return the bill entitled "an act explanatory of an act supplementary to an act, supplementary to the several laws defining the powers and duties of justices of the peace in matters of a civil nature, passed 8th December, 1820," having now received the signature of the secretary of the senate.

Message from the Senate by Mr. Emmons:

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate yesterday passed sundry proposed amendments to the constitution of the state of Missouri, which amendments are herewith sent for the concurrence of the house of representatives.

Message from the senate by Mr. Rector:

MR. SPEAKER,

I am instructed to inform the house of representatives, that mr. Rector, this day, introduced a bill to amend an act taxing Billiard Tables and regulating Ferries, which has had its first and second reading.

On motion of mr. Stuart:

The house resolved itself into a committee of the whole, and took into consideration the bill entitled "a Solemn Public act declaring the assent of this state to the fundamental condition contained in a Resolution passed by the congress of the United States, providing for the admission of this state into the Uion "on a certain condition," mr. Devore in the chair; after ome time spent therein, the committee rose and reported said ill with amendments.

The house adjourned to Monday morning, 9 o'clock.

Monday, June 11th, 1821.

Mr. Rogers presented the petition of James Anderson, and of others in his behalf, praying that he may be relieved from the penalties of the statute of the (late territory) now state of Missouri, to prevent dueling.

Motion of mr. Rogers:

To refer said petition to the committee on propositions and grievances.

Was decided in the negative.

On motion of Mr. Green, it was

Ordered,

That the said petition lie on the table.

Message from the senate, by mr. Clark.

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate concur in passing the bill entitled "an act for the relief of Nicholas S. Burckhart, sheriff of Howard county," which bill, with the accompanying documents are herewith returned.

Message from the senate, by mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate have this day elected mr. Emmons, President, pro tem: in consequence of the absence of the president of the senate.

Message from the senate by mr. Cummins.

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate concur in passing the following bills, to wit:

A bill entitled an act to amend an act defining the limits of Howard county and laying off new counties within the limits of said county as heretofore defined, and

A bill entitled an act supplementary to an act prescribing the duties of state treasurer and regulating their offices, which said bills are herewith returned.

Mr. Lillard presented the petition of sundry inhabitants of Lillard county, praying that the commissioners appointed to locate the permanent seat of justice for said county may be discharged and others appointed, or that the citizens of the said county may have the privilege of fixing the seat of justice themselves.

On motion of mr. Green, it was

Ordered,

That said petition be referred to the committee on propositions and grievances.

Message from the senate by mr. Barcroft.

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate this day, passed a bill entitled an act to amend an act taxing Billiard Tables and regulating Ferries, also a memorial to congress respecting the Lead Mines, which are herewith sent for the concurrence of the house of representatives.

mr. Devore presented the petition of William Hagens and Hetty Hagens, praying for a divorce.

motion of mr. Devore:

To refer said petition to a select committee,

Was decided in the negative.

On motion of Mr. Devore, it was

Ordered,

That the said petitioners have leave to withdraw their petitions.

mr. Smiley presented the petition of sundry inhabitants of the county of Cole, remonstrating against the passage of any Stop, or Bank Laws.

On motion of Mr. Smiley: It was

Ordered,

That said petition lie on the table.

Message from the senate, by mr. Perry :

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have this day appointed messrs. Barcroft, Perry and Talbot, a committee of Enrollments to act jointly, with such committee as may be appointed on the part of the House of Representatives.

mr. Lillard from the committee on Propositions and Grievances to whom was referred sundry petitions from the inhabitants of Ray county praying for a division of said county, reported a bill establishing the county of which was read a first time.

Ordered,

That said bill pass to a second reading.

mr. Lillard from the committee on Propositions & Grievances, to whom was referred the petition of Samuel Prewitt,

Reported, That the prayer of the petitioner was reasonable and such as should be granted.

Message from the Senate, by Mr. Barcroft :

MR. SPEAKER,

I am instructed to inform the House of Representatives, that the senate concur in passing the bill entitled an act, supplementary, to an act defining the limits of Howard County and laying off new counties, within the limits of said county as heretofore defined, which bill is herewith returned.

On motion of Mr. Green :

The rule of the house was dispensed with, (two thirds of the members concurring) and he asked and obtained leave to introduce a bill to prevent vexatious and exorbitant usury—which was read a first time.

Ordered,

That said bill pass to a second reading.

mr. Rutter gave notice, that on Wednesday next, he would ask leave to introduce a bill to repeal all Debts and Contracts, between individuals after the day of next.

mr. Hudspeth gave notice, that on to-morrow, he would ask leave to introduce a bill to regulate the fees of civil officers, and for other purposes.

mr. Smith submitted the following resolution, to wit:

Resolved, That the committee of the whole house to whom was referred so much of the Governor's message, as relates to the pecuniary distresses of the state, enquire into and report the causes which have produced the same.

Which was rejected.

On motion of Mr. Stuart: It was

Resolved, That the Joint Committee to whom was referred the report of the situation of the Bank of Missouri, be instructed also, to report to this house, the causes which have produced the present pecuniary distresses of the inhabitants of this state.

On motion of mr. Green: It was

Ordered,

That Mr. Stuart be added to that committee.

The bill for the establishment of a Loan Office, and for other purposes, was read a second time, committed to a committee of the whole house, and made the order of the day for Wednesday next.

The bill for the relief of Debtors and Creditors, was read a second time, committed to a committee of the whole house, and made the order of the day for Thursday next.

The report of the committee of the whole on the bill entitled a Solemn Public Act, declaring the assent of this state to the fundamental condition contained in a resolution, passed by the Congress of the United States, providing for the admission of the state of Missouri into the Union, on a certain condition—Was taken up and read.

On motion of Mr. Smith:

To amend said report by striking out from the word "now" in the 1st line to the word "union," in the 23d line inclusive, of the 2d clause of the Preamble to said bill, to wit:

"Now, for as much as the good people of this state have by the most solemn public act in their power, virtually assented to the said fundamental condition, when, by their representatives in full and free convention assembled, they adopted the constitution of this state, and consented to be incorporated into the Federal Union, and governed by the constitution of the

United States, which, among other things, provides, That the said constitution, and the laws of the United States, made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land, and the judges of every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding, and, although this General Assembly do most solemnly protest, that the congress of the United States have no constitutional power to annex any condition to the admission of this state into the Federal Union, and that this General Assembly have no power to change the operation of the constitution of this state, except in the mode prescribed by the constitution itself. Nevertheless, as the congress of the United States have desired this General Assembly to declare the assent of this state to the said fundamental condition, and for as much as such declaration will neither restrain or enlarge, limit or extend the operation of the constitution of the United States or of this state, but the said constitution will remain, in all respects, as if the said resolution had never passed, and the desired declaration was never made, and because such declaration will not divest any power, or change the duties of the constituted authorities of this state or of the United States, nor impair the rights of the people of this state, or impose any additional obligation upon them, but may promote an earlier enjoyment of their vested Federal rights, and this state being, moreover, determined to give to her sister states, and to the world, the most unequivocal proof of her desire to promote the peace and harmony of the Union."

Was decided in the negative.

motion of mr. Leduc.

To amend said report, by striking out the word "Protest" in the 10th line of the said 2d clause of the Preamble to said bill and insert in lieu thereof the word " declare"

Was decided in the affirmative.

The report of the committee of the whole, as amended was agreed to.

Ordered,

That the said bill be engrossed and read a third time to-morrow.

The resolution relative to the wearing of Domestic Manufactures, was read a second time, committed to a committee of the whole house, and made the order of the day for this day

The proposed amendments to the constitution of this state, from the senate were read a first time.

Ordered,

That the said proposed amendments pass to a second reading.

The bill from the senate entitled, an act, to amend an act, taxing Billiard Tables, and regulating Ferries—was read a first time.

Ordered,

That said bill pass to a second reading.

The memorial to congress respecting the Lead Mines, from the senate, was read a first time.

Ordered,

That said memorial pass to a second reading.

On motion of Mr. Heath, It was

Ordered,

That mr. Young have leave of absence until Thursday next.

mr. Walton to whom leave of absence was granted until this day, appeared in his seat.

mr. Speaker laid before the house a communication from the Judges of the Supreme court, relative to defects in the laws.

On motion of mr. Heath: It was

Ordered,

That the said communication be referred to the committee on the Judiciary.

On motion of mr. Ball:

The house resolved itself into a committee of the whole, and took into consideration the bill supplementary, to the several acts heretofore passed, defining the powers and duties of Justices of the Peace in matters of a civil nature. mr. Harris, in the chair. After some time spent therein the committee rose, reported progress and asked leave to sit again, which was granted.

mr. Devore from the joint committee of Enrollments: Reported, That they had examined and found truly enrolled, "an act supplementary to an act, prescribing the duties of State Treasurer and Auditor of Public Accounts and regulating their offices."

"An act to amend an act, defining the limits of Howard county and laying off new counties within the limits of said county as heretofore defined."

"An act for the relief of Nicholas S. Burckhart, sheriff of Howard county."

"An act explanatory of an act supplementary to an act supplementary to the several laws, defining the powers and duties of Justices of the Peace in matters of a civil nature, passed 8th December, 1821. And

"An act changing the terms of the Circuit courts in certain counties."

mr. Speaker signed the said acts and they were sent to the senate for the signature of the president.

The house adjourned to 5 o'clock to-morrow morning.

* * *

Tuesday, June 12th, 1821.

The bill to prevent vexatious or exorbitant usury—was read a second time, committed to a committee of the whole house, and made the order of the day for Friday next.

The bill for establishing the county of ——— was read a second time, committed to a committee of the whole house, and made the order of the day for to-morrow.

The memorial to Congress respecting the Lead Mines, was read a second time, committed to a committee of the whole house, and made the order of the day for Friday next.

The proposed amendments to the constitution of this state, were read a second time, committed to a committee of the whole house, and made the order of the day for this day.

The bill entitled an act, to amend an act, taxing Billiard Tables and regulating Ferries, was read a second time.

On motion of mr. Caldwell: It was

Ordered,

That the further consideration of said bill, be postponed until the next session of this General Assembly.

The petition of James Anderson and others, in his behalf was taken up—and,

On motion of mr. Rogers: It was

Ordered,

That the said petition be postponed until the next session of this General Assembly.

The petition of sundry inhabitants of the county of Cole—was taken up; and

On motion of Mr. Devore, It was

Ordered,

That the said petition be referred to the committee on Propositions and Grievances.

The communication from the governor of the 9th instant, relative to Printing the Journals—was taken up.

motion of mr. Evans.

To refer said communication to the committee on the Judiciary—was decided in the negative.

On motion of mr. Stuart: It was

Ordered,

That said communication be again laid on the table.

On motion of Mr. Rogers:

The house resolved itself into a committee of the whole, and took into consideration the bill supplementary to the several acts, defining the powers and duties of Justices of the Peace in matters of a civil nature. Also the proposed amendments to the constitution of this state.

mr. Evans in the chair:

After some time spent therein, the committee rose, and reported said bill with sundry amendments.

On motion of mr. Devore: It was

Ordered,

That the said report be laid on the table.

The committee of the whole on the proposed amendments to the constitution of this state, Reported progress & asked leave to sit again—which was granted.

mr. Leduc from the joint committee of Enrollments, Reported, That they had this day laid before the Governor for his approbation, " an act supplementary to an act, prescribing the duties of State Treasurer and Auditor of Public Accounts and regulating their offices. " An act to amend an act, defining the limits of Howard county and laying off new counties, within the limits of said county as heretofore defined.

" An act for the relief of Nicholas S. Burckhart, sheriff of Howard county.

" An act, explanatory of an act, supplementary to an act, supplementary to the several laws defining the powers and duties of justices of the peace in matters of a civil nature, passed 8th December, 1820,—and

" An act changing the terms of the Circuit Courts in certain counties."

mr. Speaker laid before the house a communication from John A. Paxton, proposing a sale to the state of a number of copies of the constitution of the United States, and of this State.

On motion of Mr. Green, it was

Ordered,

That the said communication be laid on the table.

On motion of mr. Ball :

The house again resolved itself into a committee of the whole, and took into consideration the proposed amendments to the constitution of this state. Mr. Evans in the chair.—After some time spent therein, the committee rose, reported progress and asked leave to sit again—which was granted.

On motion of Mr. Bates : It was

Ordered,

That a committee of three members be appointed to examine the present code of laws, governing the Militia of this state, and enquire into the expediency of repealing so much of said laws, as require Militia Officers to wear the uniform of the United States, with leave to report by bill or otherwise.

messrs. Bates, Harris and Parmer, were appointed that committee.

The house adjourned to 7 o'clock to-morrow morning.

◆

Wednesday, June 13th, 1821.

mr. Rogers presented the petition of the Officers of the 12th Regiment of the Militia of this state, relative to the law prescribing the Militia Uniform.

On motion of mr. Rogers: It was

Ordered,

That the said petition be referred to the select committee to whom was referred the examination of the present code, and on enquiry into the expediency of repealing so much thereof as require Militia Officers to wear the Uniform of the United States.

Mr. M'Girk presented the petition of Zadoc Martin, relative to the number of inhabitants residing in the upper par of Ray county.

On motion of mr. Devore, it was

Ordered,

That the said certificate be referred to the committee of the whole house to whom was committed the bill for establishing the county of ——

On motion of mr. Ball, it was

Resolved, That a select committee of three members be appointed to enquire into the expediency or inexpediency of establishing a State Bank on a borrowed specie capital, and report by bill or otherwise.

messrs. Ball, Evans, and Relfe were appointed that committee.

Message from the senate by mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of Representatives that mr. Perry this day introduced a bill to amend an act to regulate retailers of wines and spirituous liquors, which has had its first and second reading.

Message from the senate by mr. Cummins,

MR. SPEAKER,

I am instructed to inform the house of representatives that mr. Cummins yesterday introduced a bill reserving certain property from execution, which has had its first and second reading.

Message from the senate by Mr. Rector:

MR. SPEAKER,

I am instructed to inform the house of representatives that mr. Rector yesterday introduced a bill to perfect Land Titles, which has had its first and second reading.

The engrossed bill entitled "a solemn public act declaring the assent of this state to the fundamental condition contained in a resolution passed by the congress of the United States providing for the admission of the state of Missouri into the Union, on a certain condition," was read a third time and passed.

YEAS 36. NAYS 6.

Those who voted in the affirmative are

messrs. Alcorn, Allen, Biggs, Ball, Boulware, Bates, Dougherty, Elston, Evans, English, Graves, Green, Harris, Hudspeth, Hall, Johnson, Lillard, Le Duc, Monroe, Musick, M'Farland, Parmer, Rogers, Relfe, Rutter, Rubottom, Smiley, Stuart, Strother, Stevenson, Williams, Wright, Walton, Waters, Ste. G. Waters, N. M. and Geyer, speaker.

Those who voted in the negative are

messrs. Caldwell, Devore, Heath, Murphy, M'Girk, and Smith.

Ordered,

That the title thereof be "an act entitled, &c." sent to the senate for concurrence.

Mr. M'Girk asked and obtained leave to enter the following protest, to wit:

I do most solemnly protest against any constitutional right which the Congress of the United States had to pass their resolution, approved 2d March, 1821, restricting the admission of this free, sovereign, and independent state into the Federal Union, and of requiring of the state of Missouri, the condition in said resolution contained as the price of her admission into the union—also against any constitutional right which the legislature of this state had to pass their solemn public act declaring the assent of this state to the fundamental condition contained in said resolution of congress.

ANDREW S. M'GIRK.

Mr. Heath also asked and obtained leave to enter the following, to wit:

Mr. Heath, a member from Franklin county, does not agree to the passage of the said solemn public act—

1st. Because the congress of the United States had no right to impose the condition contained in the resolution providing for the admission of the state of Missouri into the Federal Union, passed 2d March, 1821.

2d. This General Assembly have no authority under the constitution of the state of Missouri to pass any such solemn public act otherwise than conformably to the article providing for the amendment of the said constitution.

3d. That the said solemn public act, if passed, is not obligatory upon the congress of the United States, or upon the people of this state.

And prays he may have leave to enter the foregoing reasons as his protestation against the passage of the same.

Motion of mr. Stuart:

That the report of the committee of the whole, on the bill supplementary to the several acts heretofore passed, defining the powers and duties of Justices of the Peace in matters of a civil nature, be laid on the table,

Was decided in the negative.

motion of mr. Rodgers:

That the said report be postponed indefinitively,

Was decided in the negative.

On motion of mr. Stuart, It was

Ordered,

That the said report be recommitted to a committee of the whole house, and made the order of the day for to-morrow.

Message from the Governor by Mr. Pettus:

To the Senate and House of Representatives,

I have approved and signed the following acts, to wit:

"An act changing the terms of the Circuit courts in certain counties.

"An act explanatory of an act, supplementary to an act, supplementary to the several laws defining the powers and duties of Justices of the Peace in matters of a civil nature, passed 8th December 1821.

"An act for the relief of Nicholas S. Burckhart, sheriff of Howard county.

"An act to amend an act, defining the limits of Howard county and laying off new counties within the limits of said county as heretofore defined.

"An act supplementary to an act, prescribing the duties of State Treasurer and Auditor of Public Accounts, and regulating their offices.

ALEXANDER M'NAIR,

St. Charles, June 12, 1821.

Message from the Governor, by mr. Pettus:

To the Senate and House of Representatives,
Of the State of Missouri.

Gentlemen,

The Missionary Family under the authority and patronage of the United States Foreign Missionary Society of New-York, and with the approbation of the President of the United States, intended for the civilization of the great Osage Nation of Indians, within, and on the borders of our state, is now in this place, on their way to undertake the duties which have been assigned them.

The superintendant the Reverend NATHANIEL B. DODGE, has furnished me with their commission, instructions and documents, with a request, that the same may be laid before the General Assembly—which are herewith sent.

As soon as the documents may have been examined it is expected they will be returned.

ALEXANDER M‘NAIR.

St. Charles, June 13*th*, 1821.

The said documents being read, it was

Ordered,

That a copy be transmitted to the senate.

On motion of Mr. Ball, it was:

Resolved, That a committee to consist of three members be appointed on the part of this house, together with such committee as the senate may appoint to take into consideration the governor's message, relative to the United Foreign Missionary Society, a part of whom are now in this place, and on their way to the great Osage Nation of Indians and report thereon.

messrs. Ball, Stevenson and Williams, were appointed that committee.

Ordered,

That the senate be informed thereof.

On motion of mr. Rutter.

The previous order of the day was postponed, and

The house resolved itself into a committee of the whole, and took into consideration, the proposed amendments to the constitution of Missouri, Mr. Evans in the chair, after some time spent therein, the committee rose, and reported the said proposed amendments with sundry amendments thereto.

On motion of mr. M‘Girk.

To amend said report by adding the following as a 15th section, to wit:—

" The constitution of this state shall be changed as follows to wit: That whenever two thirds of the general Assembl shall think it necessary to change, or amend the constitutio of this state, they shall recommend to the electors at the next election for members of the general Assembly to vote for, or against a Convention, and if it shall appear that a majority of all the citizens of the state voting for Representatives have voted for a convention, the general Assembly shall at their next session, call a Convention, to consist of as many members, as there may be in the general Assembly, to be chosen in the same manner, in the same place, and by the same electors, that choose the general Assembly, who shall meet within three months after the said election, for the purpose of revising, amending or changing the constitution."

motion of mr. Ball :

To amend said amendment by inserting before the word "The" in the 1st line, the word "whenever" and by striking out all after the same word "The" in the first line, and insert the following in lieu thereof, to wit :

"Citizens of this state, shall wish for any amendment or alteration to the constitution, the qualified electors, shall, at any general election signify the same by writing the word "Convention" on their ballots, a regular return of which, shall be made by the judges of the election, as of the election of the Representatives of the general Assembly, a certified copy whereof, shall be transmitted by the respective clerks of the several counties, to the governor, whereupon if he shall find that there is a majority of the qualified voters throughout the state, as have voted, shall be in favor of calling a convention, he shall forthwith issue his proclamation for the election of Delegates to convene in Convention, within three months thereafter, to consist of the same number of Delegates, as there are members belonging to the House of Representatives of the general Assembly at the time of calling the Convention."

Which was decided in the negative,

The question recurring on the motion of mr. M'Girk—it was also decided in the negative.

The said report was concurred in, and

On motion of Mr. Heath: It was

Ordered,

That the said proposed amendments, be engrossed, and read a third time to-morrow.

Message from the senate, by mr. Perry,

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate, have this day passed a bill, entitled an act, to amend and alter an act, to regulate retailers of Wines and Spiritous Liquors, which is herewith sent for the concurrence of the House of Representatives.

Message from the senate by Mr. Logan :

MR. SPEAKER,

I am instructed to inform the house of representatives that Mr. Logan, this day introduced a bill to amend an act to provide for levying, assessing and collecting state and county taxes, which has had its first and second reading.

mr. Devore from the Joint committee of Enrollments.— Reported, That they had examined and found truly enrolled, an act supplementary to an act defining the limits of Howard county, and laying new counties within the limits of said county as heretofore defined.

mr. Speaker signed the said act, and it was sent to the senate for the signature of the President.

On motion of Mr. Evans ; It was,

Ordered,

That the report of the select committee appointed to procure such printing to be done, as this house, may require, be recommitted, with sundry other proposals since received, to the same committee.

mr. Bates from the select committee, to whom was referred, the expediency of repealing so much of the Militia law of this state as require the officers of the militia to wear the uniform of the United States, Reported, a bill supplementary to an act, regulating the mode of Electing officers of the militia, dividing the state into Divisions and Brigades, and for other purposes, which was read a first time.

Ordered, That said bill pass to a second reading.

Message from the senate, by mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of representatives, that messrs. Perry and Barcroft, have been appointed a committee on the part of the senate, to act jointly with the committee appointed by the house of representatives, on the governor's message relative to the Foreign Missionary Society, part of whom are now in this place.

The house adjourned to 8 o'clock, to-morrow morning.

* * *

Thursday, June 14th, 1821.

mr. Heath presented the petition of Samuel R. Ober, praying remuneration of certain expences by him incurred, in trying to apprehend a certain Samuel Williams for having killed Joseph March.

On motion of mr. Bates, it was

Ordered,

That the said petition be referred to this general Assembly at the next session.

mr. Heath presented the petition of Isaiah Todd, administrator and Nancy Murphy, admx. of Isaac Murphy, deceased, and John Sappington, securities of Sumner Bacon, late sheriff of Franklin county, praying to be relieved from the payment of the fine of twenty per centum on certain monies due by said Bacon to the states—and also that they may be allowed time to pay said money.

On motion of Mr. Heath, it was

Ordered,

That said petition be referred to the committee on propositions and grievances.

mr. Parmer from the committee on Propositions and Grievances, to whom was referred the petition of sundry inhabitants of the county of Lillard, relative to the location of their seat of Justice, Reported, That the prayer of the petitioner is reasonable and ought to be granted.

motion of Mr. Heath:

That the said report lie on the table.

Was decided in the negative.

On motion of Mr. Elston: It was

Ordered,

That the consideration of said report be postponed until the next session of this General Assembly.

mr. Smith, from the committee on the Judiciary to whom was referred the resolution of the 5th inst. on the subject of Judgments by confession before the Clerk in vacation, Reported, That it is inexpedient at this session to legislate upon that subject—which was concurred in by the house.

mr. Smith from the committee on the Judiciary, Reported, the following bills, to wit:

A bill to amend certain acts respecting the proceedings in Chancery and suits at law.

A bill to authorize certain proceedings in Chancery against heirs whose names are unknown.

A bill to regulate proceedings on Penal Bonds,

Which were severally read a first time.

Ordered,

That said bills pass to a second reading.

On motion of mr. Rutter: It was

Ordered,

That the vote taken on the 7th instant, rejecting the second reading of the bill, to reduce the compensation of the members of the General Assembly, be reconsidered; and on the question shall the bill be read a second time, it was decided affirmatively.

The said bill was then read a second time, committed to a committee of the whole house and made the order of the day for to-morrow.

Message from the senate by mr. Logan:

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate have this day passed a bill entitled an act, to amend an act, to provide for levying, assessing and collecting state and county taxes, which is herewith sent for the concurrence of the House of Representatives.

Message from the senate by Mr. Rector:

Mr. Speaker,

I am instructed to inform the house of representatives, that the senate have this day, passed a bill, entitled an act to perfect land titles, which is herewith sent for the concurrence of the house of representatives.

The bill supplementary to an act regulating the mode of electing officers of the militia, dividing the state into divisions and brigades, and for other purposes, was read a second time.

On motin of mr. Bates, it was

Ordered,

That said bill be engrossed and read a third time tomorrow.

On motion of mr. M'Girk: It was

Ordered,

That the house be called, when the following members answered from their seats, viz.

messrs. Alcorn Allen Boulware Bates Biggs Ball Caldwell Devore, Dougherty, Elston, Evans, English, Graves, Green, Harris, Heath, Hudspeth, Hall, Johnson, Lillard, Leduc, Monroe, Musick, Murphy, M'Girk, M'Farland, Parmer, Rogers, Relfe, Rutter, Rubottom, Smiley, Smith, Stuart, Stevenson, Strother, Williams, Wright, Walton, Waters, N. M. Waters, Ste. G. and Geyer, speaker, 42.

Mr. Young absent with leave.

The engrossed proposed amendments to the constitution of this state, were read a third time as amended.

On the question, Shall the first section of the said proposed amendments pass, it was decided in the affirmative,

YEAS 35. NAYS 7.

Those in the affirmative are,

Messrs. Alcorn, Allen, Biggs, Boulware, Bates, Caldwell, Devore, Dougherty, Elston, Evans, English, Graves, Green, Harris, Heath, Hudspeth, Hall, Johnson, Lillard, Monroe, Musick, Murphy, M'Farland, Parmer, Rogers, Relfe, Rutter, Rubottom, Smiley, Smith, Stevenson, Strother, Wright, Walton, Waters, Ste. G.

Those in the negative are,

Messrs. Ball, Leduc, M'Girk, Stuart, Williams, Waters, N. M. and Geyer, speaker.

On the question, Shall the second section of the said proposed amendments pass, it was decided in the affirmative,

YEAS 38. NAYS 4.

Those in the affirmative are,

Messrs. Alcorn, Allen, Biggs, Boulware, Bates, Caldwell, Devore, Dougherty, Elston, Evans, English, Graves, Green, Harris, Heath, Hudspeth, Hall Johnson, Lillard, Monroe, Musick, Murphy, M'Farland, Parmer, Rogers, Relfe, Rutter, Rubottom, Smiley, Smith, Stuart, Stevenson, Strother, Wright, Walton, Waters, Ste. G. Waters, N. M. and Geyer, speaker.

Those in the negative are,

messrs. Ball, Leduc, M'Girk and Williams.

On the question, Shall the third section of the said proposed amendments pass, it was decided in the affirmative,

YEAS 37. NAYS 5.

Those in the affirmative are,

messrs. Alcorn, Allen, Biggs, Ball, Boulware, Bates, Caldwell, Devore, Dougherty, Elston, Evans, English, Graves, Harris, Heath, Hudspeth, Hall, Johnson, Lillard, Monroe, Murphy, M'Farland, Parmer, Rogers, Relfe, Rutter, Rubottom, Smiley, Smith, Stuart, Stevenson, Strother, Williams, Wright, Walton, Waters, Ste. G. and Waters, N. M.

Those in the negative are,

messrs. Green, Leduc, Musick, M'Girk & Geyer, speaker.

On the question, Shall the fourth section of the said proposed amendments pass, it was decided in the affirmative,

YEAS 32. NAYS 10.

Those in the affirmative are,

messrs. Alcorn Allen Biggs Boulware Caldwell Devore Dougherty Elston Evans English Graves Green Harris Heath Hudspeth Hall Johnson Lillard Monroe Murphy M'Farland Parmer Rogers Rutter Rubottom Smiley Smith Stevenson Strother Williams Wright and Walton.

Those in the negative are,

messrs. Ball Bates Leduc Musick M'Girk Relfe Stuart Waters Ste. G. Waters N. M. and Geyer speaker.

On the question, Shall the fifth section of the said proposed amendments pass, it was decided in the affirmative,

YEAS 42. NAYS —.

All the members voting affirmatively.

On the question, Shall the sixth section of the said proposed amendments pass, it was decided in the affirmative,

YEAS 42. NAYS —.

All the members voting affirmatively.

On the question, Shall the seventh section of the said proposed amendments pass, it was decided in the affirmative,

YEAS 39. NAYS —.

All the members voting affirmatively, with the exception of messrs. Devore, Green and Parmer, who were excused from voting.

On the question, Shall the eighth section of the said proposed amendments pass, it was decided in the affirmative,

YEAS 33. NAYS 9.

Those in the affirmative are,

Messrs. Alcorn, Allen, Biggs, Ball, Boulware, Caldwell, Devore, Dougherty, Elston, English, Graves, Green, Heath, Hudspeth, Hall, Johnson, Lillard, Monroe, Murphy, Parmer, Rogers, Rutter, Rubottom, Smiley, Smith, Stuart, Stevenson, Strother, Williams, Wright, Walton, Waters, Ste. G. and Geyer speaker.

Those in the negative are,

messrs. Bates, Evans, Harris, Leduc, Musick, M'Girk, M'Farland, Relfe, and Waters N. M.

On the question, Shall the ninth section of the said proposed amendments pass, it was decided in the negative,

YEAS 26. NAYS 16.

Those in the affirmative are,

messrs. Alcorn Ball Caldwell Dougherty Evans English Green Harris Heath Hudspeth Hall Johnson Lillard Monroe Murphy Parmer Relfe Rutter Rubottom Smith Stuart Stevenson Williams Waters Ste. G. Waters N. M. and Geyer speaker.

Those in the negative are,

messrs. Allen Biggs Boulware Bates Devore Elston Graves Leduc Musick M'Girk M'Farland Rogers Smiley Strother Wright and Walton.

Not being the constitutional majority of two thirds of all the members, the question is consequently negatived.

On the question, Shall the tenth section of the said proposed amendments pass, it was decided in the negative,

YEAS 24. NAYS 18.

Those in the affirmative are,

Messrs. Alcorn, Ball, Caldwell, Devore, Dougherty, English, Green, Harris, Heath, Hudspeth, Hall, Johnson, Lillard, Monroe, Murphy, Parmer, Relfe, Rutter, Rubottom, Stevenson, Williams, Waters, Ste. G. Waters, N. M. and Geyer, speaker.

Those in the negative are,

messrs. Allen, Biggs, Boulware, Bates, Elston, Evans, Graves, Leduc, Musick, M'Girk, M'Farland, Rogers, Smiley, Smith, Stuart, Strother, Wright, and Walton.

Not being the constitutional majority of two thirds of all the members, the question is consequently negatived.

On the question, Shall the eleventh section of the said proposed amendments pass, it was decided in the affirmative,

YEAS 42. NAYS —.

All the members voting affirmatively.

On the question, Shall the twelfth section of the said proposed amendments pass, it was decided in the affirmative,

YEAS 42. NAYS —.

All the members voting affirmatively.

On the question, Shall the thirteenth section of the said proposed amendments pass, it was decided in the negative,

YEAS 27. NAYS 15.

Those in the affirmative are,

messrs. Biggs, Ball, Bates, Caldwell, Devore, Dougherty, Evans, English, Graves, Heath, Hudspeth, Hall, Johnson, Leduc, Murphy, Relfe, Rutter, Rubottom, Smith, Stuart, Stevenson, Strother, Wright, Walton, Waters, Ste. G. Waters, N. M. and Geyer, speaker.

Those in the negative are,

messrs. Alcorn, Allen, Boulware, Elston, Green, Harris, Lillard, Monroe, Musick, M'Girk, M'Farland, Parmer, Rogers, Smiley, and Williams.

Not being the constitutional majority of two thirds of all the members, the question is consequently nagatived.

On the question, Shall the fourteenth section of the said proposed amendments pass, it was decided in the affirmative,

YEAS 36. NAYS 5.

Those in the affirmative are,

messrs. Alcorn, Allen, Biggs, Ball, Boulware, Bates, Caldwell, Devore, Dougherty, Elston, English, Graves, Green, Harris, Heath, Hudspeth; Hall, Johnson, Lillard, Monroe, Musick, Murphy, M'Farland, Parmer, Rogers, Relfe, Rutter, Rubottom, Smiley, Stevenson, Strother, Williams, Wright, Waters, Ste. G. Waters, N. M. and Geyer speaker.

Those in the negative are,

messrs. Evans, Leduc, Smith, Stuart, and Walton.

Mr. M'Girk having been excused from voting.

The joint resolution requiring the Governor to have the said proposed amendments published, was also read a third time and passed,

Ordered,

That the senate be informed thereof.

The bill from the senate entitled an act to amend and alter an act to regulate retailers of wines and spirituous liquors, was read a first time,

motion of mr. Devore,

To postpone the further consideration of said bill until the next session of this General Assembly,

Was decided in the negative,

Ordered,

That said bill pass to a second reading.

The bill from the senate entitled an act to amend an act to provide for levying, assessing and collecting state and county taxes, was read a first time.

Ordered,

That said bill pass to a second reading.

The bill from the senate entitled an act to perfect land titles, was read a first time.

Ordered,

That said bill pass to a second reading.

On motion of mr. Rutter:

The house resolved itself into a committee of the whole, and took into consideration, 1st, the resolution relative to the wearing of domestic manufactures, and 2d, sundry proposed amendments to the constitution, reported by the committee on constitutional provisions; mr. Heath in the chair; after some time spent therein, the committeee rose and reported said rosolution without amendment.

motion of mr. M'Girk:

To postpone the further consideration of the said resolution indefinitely, was decided in the affirmative,

YEAS 23. NAYS 15.

Those in the affirmative are,

messrs. Alcorn Allen Biggs Ball Boulware Caldwell Elston Evans English Graves Lillard Leduc Monroe Musick Murphy M'Girk M'Farland Rogers Smiley Wright Waters Ste. G. Waters s. m. and Geyer speaker.

Those in the negative are,

messrs. Bates Devore Dougherty Harris Heath Hudspeth Johnson Parmer Rutter Rubottom Smith Stuart Stevenson Strother and Williams.

The committee of the whole recommended, that the said proposed amendments to the constitution be indefinitely postponed, which was concurred in by the house.

On motion of mr. Devore:

The committee of the whole house was discharged from the further consideration of the bill establishing the county of ——

Ordered,

That the said bill be postponed until the next session of this General Assembly.

mr. Evans from the select committe to whom was referred sundry proposals for printing, &c. reported sundry resolutions relative to printing the laws and journals, which were read a first time.

On motion of mr. Devore:

The rule of the house was dispensed with—(two thirds of the members concurring) and the said resolutions were read a second time.

Ordered,

To be engrossed for a third reading on to-morrow.

The house adjourned to 8 o'clock to-morrow morning,

◆

Friday, June 15th, 1821.

Mr. Young, to whom leave of absence had been granted until yesterday, appeared in his seat.

On motion of mr. Smith, it was

Ordered,

That the committee on the judiciary be discharged from the further consideration of the report of the commissioners relative to the location of the permanent seat of government for the state of Missouri—and

On motion of mr. Smith,

The said report was committed to a committee of the whole house and made the order of the day for this day.

The bill entitled an act to perfect land titles, was read a second time, committed to a committee of the whole house, and made the order of the day for to-morrow.

The bill entitled an act to amend certain acts respecting the proceedings in chancery and suits at law, was read a second time, committed to a committee of the whole house, and made the order of the day for to-morrow.

The bill to regulate proceedings on penal bonds, was read a second time, committed to a committee of the whole house, and made the order of the day for Monday next.

The bill to authorise certain proceedings in chancecy against heirs whose names are unknown, was read a second time, committed to a committee of the whole house, and made the order of the day for Monday next.

The bill from the senate entitled an act to amend and alter an act to regulate retailers of wines and spirituous liquors, was read a second time.

Ordered,

That said bill be read a third time on to-morrow.

The bill from the senate entitled an act to amend an act to provide for levying, assessing and collecting state and county taxes, was read a second time.

Ordered,

That said bill be read a third time on to-morrow.

The engrossed bill supplementary to an act regulating the mode of electing officers of the militia, dividing the state into divisions and brigades, and for other purposes, was read a third time.

motion of mr. Johnson:

To amend said bill by way of rider, adding thereto the following as a third section, to wit.

"*Be it further enacted*, That it shall be lawful for the field officers of the militia of this state to lay off their respective regiments into battalions and companies. All acts, or parts of acts inconsistent or repugnant to this act are hereby repealed." Which was read a first time.

On motion of mr. Johnson:

The rule of the house was dispensed with—(two thirds of the members concurring,) and the said amendment was read a second time.

motion of mr. Bates:

To amend said amendment by striking out the words, "all acts or parts of acts inconsistent or repugnant to this act are hereby repealed."

Was decided in the affirmative.

motion of mr. Devore:

To amend said amendment by striking out the words "lawful for," in the 1st line and insert in lieu thereof, "the duty of." Was decided in the affirmative.

On motion of Mr. Devore,

The rule of the house was again dispensed with—(two thirds of the members concurring,) and the said amendment was read, a third time, and agreed to.

The said bill as amended was then passed, title "an act" sent to the senate for concurrence.

The engrossed resolutions relative to Printing the Laws and Journals, were read a third time and passed, sent to the senate for concurrence.

Message from the senate by mr. Cummins,

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have this day, passed a bill entitled an act, reserving certain property from execution, which bill is herewith sent for the concurrence of the house of representatives.

Message from the senate by Mr. Rector:

MR. SPEAKER,

I am instructed to inform the house of representatives, that mr. Rector this day introduced a bill, entitled an act to enable husband and wife to convey real estate belonging to the wife, which has had its first and second reading.

The bill from the senate entitled an act reserving certain property from execution, was read a first time.

Ordered,

That said bill pass to a second reading.

The proposition from John A. Paxton, relative to the sale of some printed copies of the constitutions of the U. States and of this state, was taken up.

motion of Mr. Green,

That the said proposition be referred to a select committee was decided in the negative.

On motion of Mr. Alcorn, It was

Ordered,

That the said proposition be postponed indefinitely.

mr. Green from the select committee to whom was referred the statement of the situation of the Bank of Missouri, and to enquire whether there be, any violation of the charter of that Bank, also to enquire into, and report the causes which have produced the present pecuniary distress of the citizens of this state, made a report on these subjects.

motion of mr. Stuart.

To commit said report to a committee of the whole house, and be the order of the day for to-morrow'

Was decided in the negative.

motion of mr. Devore.

To commit the said report to a committee of the whole house, and be the order of this day,

Also decided in the negative.

motion of mr. Smith :

That said report lie on the table and be printed.

mr. Heath called for a division of the question.

—The question on laying the said report on the table,.

Was decided affirmatively.

The question on Printing said report,

Was decided in the nagative.

On motion of mr. Rutter :

The house resolved itself into a committee of the whole, and took into consideration, a bill to reduce the compensation of the members of the general Assembly. Mr. Alcorn in the chair, after some time spent therein, the committee rose and reported the said bill with sundry amendments.

motion of mr. Parmer :

To postpone the further consideration of said bill, until the next session of this general Assembly.

Was decided in the negative.

YEAS 7. NAYS 34.

Those who voted in the affirmative are

messrs. Heath, Parmer, Smith, Williams, Waters, St. G. Waters, N. M. and Geyer, speaker.

Those who voted in the negative are

messrs. Alcorn, Allen, Biggs, Boulware, Bates, Caldwell, Dougherty, Elston, Evans, English, Graves, Green, Harris, Hudspeth, Hall, Johnson, Lillard, Le Duc, Monroe, Musick, Murphy, M'Farland, Rogers, Relfe, Rutter, Rubottom, Smiley, Stuart, Stevenson, Strother, Wright, Walton, and Young.

motion of Mr. Rutter :

That the report of the committee of the whole, striking out the words "and all future general Assemblies" be agreed to:

Was decided in the negative.

On motion of mr. M'Girk.

To amend said report by striking out the whole of the 2nd section of the bill, to wit :

"*Be it further anacted*, That the members aforesaid shall be entitled to receive at the rate of —— dollars for every —— miles they must necessarily travel going to and from the said assemblies to be paid in like manner out of the Public Treasury."

Was decided in the affirmative.

On motion of Mr. Evans :

The said report as amended was agreed to ; and

Ordered,

That said bill be engrossed and read a third time to-morrow.

motion of Mr. Caldwell :

To re-consider the vote, ordering said bill to be engrossed—was decided in the negative.

mr. Parmer from the committee on Propositions and Grievances, to whom was referred the petition of Isaiah Todd, admr. and Nancy Murphy, admx. of Isaac Murphy deceased, and John Sappington. Reported, a bill for their relief, which was read a first time.

On motion of mr. Alcorn :

The rule of the house was dispensed with, (two thirds of the members concurring;) and the said bill was read a second time, committed to a committee of the whole house, & made the order of the day for to-morrow.

mr. Ball from the Joint committee to whom was referred the Governor's message with the accompanying documents, relative to the Missionary Family, now in this place, on their way to the great Osage Nation of Indians, made a report, which was accepted.

Ordered,

That the clerk of this house cause the said report to be printed.

mr. Bates from the joint committee of enrollments, Reported, That on yesterday they laid before the governor for his approbation, an act supplementary to an act, defining the limits of Howard county and laying off new counties within the limits of said county as heretofore defined.

On motion of Mr. Evans;

The house resolved itself into a committee of the whole, and took into consideration a bill for the establishment of a Loan office and for other purposes. Mr. Ball in the chair, after some time spent therein, the committee rose, reported progress and asked leave to sit again which was granted.

The house adjourned to half past 7 o'clock to-morrow morning.

Saturday, June 16th, 1821.

On motion of Mr. Stuart:

The previous orders of the day were postponed, and the house resolved itself into a committee of the whole, took into consideration a bill for the establishment of a Loan Office and for other purposes. Mr. Ball in the chair, after some time spent therein, the committee rose, reported progress & asked leave to sit again, which was granted.

Message from the senate by Mr. Emmons:

Mr. Speaker,

I am instructed to inform the house of representatives, that the senate concur in passing the Solemn public act, declaring the assent of this state to the fundamental condition contained in a resolution passed by the congress of the U. S. providing for the admission of the state of Missouri into the Union on a certain condition, with an amendment which is herewith sent for the concurrence of the house of representatives.

Message from the senate, by mr. Perry,

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate concur in passing the bill, entitled an act, supplementary to an act, regulating the mode of electing officers of the militia, dividing the state into Divisions and Brigades and for other purposes, with sundry amendments thereto, which are herewith sent for the concurrence of the house of Representatives.

Message from the senate by mr. Rector:

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate have this day passed a bill entitled an act, to enable Husband and Wife to convey real estate belonging to the Wife, which is herewith sent for the concurrence of the House of Representatives.

Message from the senate by mr. Emmons:

MR. SPEAKER,

I am instructed to inform the house of representatives, that Mr. Emmons, from the select committee appointed to take into consideration the several laws allowing fees and compensation to the several officers of this state, and see what alterations, if any, are necessary, did on yesterday, report a bill ascertaining the fees of the several officers of the state of Missouri, regulating the payment of costs on Indictment, and for other purposes, which has had its first and second reading.

Message from the senate by Mr. Barcroft:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate concur in passing the resolutions relative to Printing the Laws and Journals, which are herewith returned to the house of representatives.

mr. Ball asked and obtained leave of absence for himself and mr. Green until Monday next.

Message from the Governor by Mr. Barton:

To the Senate and House of Representatives,

I have the honor to forward herewith to th General Assembly a letter from the executive of Louisiana, accompanied by a report and resolution of the General Assembly of that state, requesting the names of certain states on the subject of establishing certain Hospitals in the state of Louisiana, for the relief of persons employed in the commerce of the river from the western states & territories—and a report of the joint committee of both houses of the general assembly of the state of Ohio, upon the subject of the proceedings of the bank of the United States, against the officers of state, in the U. States' Circuit Court, with a resolution of the said general assembly requesting the governor of each state, to lay the same before their respective legislatures, and also a letter from the governor of the state of Maryland, accompanied by a report and sundry resolutions of the Legislature of that state, relative to the appropriation of Public Lands for the purposes of education with a request to lay the same before the General Assembly of this state.

ALEXANDER M'NAIR,

St. Charles, June 15, 1821.

On motion of Mr. Heath, it was

Ordered,

That the said message and documents be laid on the table.

The amendment made by the senate, to the Solemn Public Act, declaring the assent of this state to the fundamental condition contained in the resolution, passed by the Congress of the United States, providing for the admission of the state of Missouri into the Union on a certain condition—was taken up and read.

motion of mr. Devore:

That the said amendment be agreed to.

Was decided in the negative.

YEAS 16. NAYS 22.

Those in the affirmative, are

messrs. Allen, Biggs, Boulware, Caldwell, Devore, Dougherty, Elston, Heath, Johnson, Lillard, Monroe, M'Farland, Rubottom, Smiley, Williams and Wright.

Those in the negative are,

messrs. Alcorn, Bates, Evans, English, Graves, Harris, Hudspeth, Hall, Leduc, Musick, Murphy, M'Girk, Parmer, Rogers, Relfe, Rutter, Rubottom, Strother, Waters, Ste. G. Waters, N. M. Young and Geyer, speaker.

Ordered,

That the senate be informed thereof.

The amendments made by the senate to the bill entitled, an act, supplementary to an act, regulating the mode of electing officers of the militia, dividing the state into Divisions and Brigades, and for other purposes—were taken up, read and agreed to.

Ordered,

That the senate be informed thereof.

The bill, from the senate, entitled an act to enable Husband and Wife to convey real estate belonging to the wife, was read a first time.

Ordered,

That said bill pass to a second reading.

The bill entitled an act, reserving certain property from execution, was read a second time.

motion of mr. Devore :

That said bill be postponed until the next session of this general Assembly—was decided in the negative.

On motion of mr. M'Girk: It was

Ordered,

That said bill be committed to a committee of the whole house and made the order of the day for Monday next.

On motion of mr. Bates, it was

Ordered,

That the third reading of the engrossed bill to reduce the compensation of the members of the general Assembly be postponed until Monday next.

motion of mr. Young :

That the engrossed bill from the senate, entitled an act t amend an act to regulate Retailers of Wines and Spiritous Liquors, be committed to a select committee—was decided in the negative.

On motion of Mr. Harris : It was

Ordered,

That the further consideration of said bill be postponed until Monday next.

motion of mr. Young :

That the engrossed bill from the senate, entitled an act to amend an act, to provide for levying, assessing and collecting state and county taxes, be committed to a select committee,

Was decided in the negative.

The said bill was then read a third time and passed.

Ordered, That the senate be informed thereof.

The house adjourned to 8 o'clock, on Monday morning.

* * *

Monday, June 18th, 1821.

messrs. Ball and Green to whom leave of absence had been granted until to day, appeared in their seats.

mr. Waters, N. M. presented the petition of sundry inhabitants of the county of New Madrid praying that the seat of Justice for said county may be removed to the town of New Madrid, or that commissioners may be appointed, by the general assembly for the purpose of fixing the seat of Justice for said county.

motion of mr. Waters, of New Madrid :

That said petition be referred to a select committee—was decided in the negative.

On motion of mr. Hall : It was

Ordered,

That said petition be postponed until the next session of this general Assembly.

The bill entitled an act, to enable Husband and Wife to convey real estate belonging to the wife, was read a 2d time.

Ordered,

That said bill be read a third time to-morrow.

The engrossed bill to reduce the compensation of the members of the general Assembly, was read a third time.

motion of mr. Waters, New-Madrid:

That the blank in the first section by filled with the word "three 99-100"—was decided in the negative, yeas 4, nays 35.

Those in the affirmative, are

Messrs. Bates, Heath, Hall and Waters, N. M.

Those in the negative, are

Messrs. Alcorn, Allen, Biggs, Ball, Boulware, Caldwell, Devore, Dougherty, Elston, Evans, English, Graves, Green, Harris, Hudspeth, Johnson, Lillard, Monroe, Murphy, M'Girk, M'Farland, Parmer, Rogers, Relfe, Rutter, Rubottom, Smith, Smiley, Stevenson, Strother, Williams, Wright, Waters, Ste. G. Young and Geyer, speaker.

motion of mr. Parmer:

That the said blank be filled with the word "three."—was decided in the affirmation, yeas 34, nays 7.

Those in the affirmative, are

messrs. Alcorn, Allen, Biggs, Boulware, Bates, Caldwell, Dougherty, Elston, Evans, English, Graves, Green, Harris, Heath, Hudspeth, Hall, Johnson, Lillard, Monroe, Musick, Murphy, M'Girk, M'Farland, Parmer, Relfe, Rutter, Rubottom, Smiley, Smith, Stevenson, Strother, Williams, Wright and Walton.

Those in the negative, are

messrs. Ball, Devore, Rogers, Waters, Ste. G. Waters, N. M. Young and Geyer, speaker.

motion of mr. Green:

That the blank in the second section be filled with the word "six."

Was decided in the negative.

motion of mr. Ball:

That the said blank be filled with the word "five."

Which was decided in the negative.

motion of mr. Young:

That said blank be filled with the words "four and a half."

Was decided in the affirmative.

motion of mr. Devore:

To amend said bill by adding thereto as a third section, the following, to wit.

"*Be it further enacted*, That the clerk of the house of representatives, and secretary of the senate, shall each be allowed the sum of   dollars per day for their services, and that the door keepers of the senate and house of representatives be allowed each the sum of   dollars per day for their services, and the assistant clerk of the house of representatives shall be allowed the sum of   dollars per day for his services."

Was decided in the negative.

On the question, Shall the said bill pass, it was decided affirmatively—yeas 34, nays 7.

Those in the affirmative are,

messrs. Alcorn Allen Biggs Ball Bates Boulware Caldwell Dougherty Elston Evans English Graves Green Harris Hudspeth Hall Johnson Lillard Monroe Musick Murphy M'Girk M'Farland Parmer Relfe Rutter Rubottom Smiley Smith Stevenson Strother Williams Wright and Walton.

Those in the negative are,

messrs. Devore Heath Rogers Waters Ste. G. Waters N. M. Young and Geyer, speaker.

Ordered,

That the title thereof be "an act."

Sent to the Senate for concurrence.

The bill entitled an act to amend an act to regulate retailers of wines and spirituous liquors, was read a third time.

motion of mr. Bates:

To amend said bill by adding to the end of the first section as follows, to wit:

"Provided that nothing herein contained shall be so construed, as to require merchants who now are, or hereafter may be, regularly licensed as such, to obtain a license under the provisions of this act, but may retail wines and spirituous liquors, under their license, as merchants."

motion of mr. Young:

To amend said amendment by adding,

"And provided also, that any person or persons shall be at liberty to sell any number of gallons of domestic distilled spirits, not less than one, without obtaining such license as aforesaid."

Was decided in the negative.

motion of mr. Ball:

To amend said amendment by adding,

"Taking into consideration the quantity of wines and spirituous liquors which they may retail."

Was decided in the negative.

motion of mr. Devore:

To postpone the further consideration of said bill until the next session of this General Assembly.

Was decided in the negative—yeas 8, nays 33.

Those in the affirmative are,

messrs. Ball Caldwell Devore Heath M'Girk M'Farland Rogers and Rubottom.

Those in the negative are,

messrs. Alcorn Allen Biggs Boulware Bates Dougherty Elston Evans English Graves Green Harris Hudspeth Hall Johnson Lillard Monroe Musick Murphy Parmer Reife Rutter Smiley Smith Stevenson Strother Williams Wright Walton Waters Ste. G. Waters N. M. Young and Geyer, speaker.

motion of mr. Devore:

That the said bill with the proposed amendment be committed to a committee of the whole house, and be the order of the day for to-morrow.

Was decided in the negative.

mr. Bates' motion to amend was negatived and the said bill passed.

Ordered,

That the senate be informed thereof.

mr. Heath gave notice that on to-morrow he would ask leave to introduce a bill to establish Medical Societies, and regulate the practice of Physic and Surgery in this state.

On motion of mr. Evans:

The house resolved itself into a committee of the whole, and took into consideration the bill for the establishment of Loan Offices, and for other purposes, mr. Waters of Ste. G. in the chair, and after some time spent therein the committee rose, reported progress, and asked leave to sit again, which was granted.

Message from the senate, by mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate insist on their amendment to the act entitled "a solemn public act declaring the assent of this state to the fundamental condition contained in a resolution passed by the congress of the United States, providing for the admission of the state of Missouri into the union on a certain condition," and ask a conference on the subject of the disagreement between the two houses—messrs. Rector, Emmons and Cooper, are appointed a committee for that purpose, to act with such committee as the house of representatives may appoint.

On motion of mr. Bates: It was

Ordered,

That a committee be appointed on the part of this house to act jointly with the committee appointed by the senate on the subject of the said disagreement.

messrs. Bates, Ball, Rutter, Young, Waters, N. M. and Relfe were appointed that committee.

Ordered,

That the senate be informed thereof.

On motion of mr. Devore:

The house again resolved itself into a committee of the whole, and took into consideration the bill for the establishment of a Loan Office, and for other purposes, mr. Waters of St. Genevieve, in the chair, after some time spent therein, the committee rose, reported progress, and asked leave to sit again, which was granted.

The house adjourned to 8 o'clock to-morrow morning.

Tuesday, June 19th, 1821.

The bill entitled an act to enable husband and wife to convey real estate belonging to the wife, was read a third time.

motion of mr. Green;

To amend said bill by adding the following proviso to the end of the first section, to wit:

"Provided also, that nothing herein contained, shall in any wise authorise husband and wife to convey real estate, granted to the wife and heirs after intermarriage," which was read a first, second, and third time, the rule of the house having been dispensed with—(two thirds of the members concurring) and agreed to.

The said bill as amended was then passed.

Ordered,

That the senate be informed thereof.

mr. Musick presented the petition of sundry inhabitants of the county of Saint Louis, praying for the establishment of a State Bank, and for the passage of a law to prevent the sacrifice of property sold under execution.

Ordered,

That said petition be laid on the table.

On motion of mr. Heath:

The house resolved itself into a committee of the whole, and took into consideration the bill for the establishment of a Loan Office and for other purposes. Mr. English in the chair, after some time spent therein, the committee rose reported progress, and asked leave to set again, which was granted.

Message from the senate by mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate concur in passing by the constitutional majority, the amendments made by the house of representatives to the proposed amendments to the constitution of this state, with sundry amendments thereto, which are herewith sent for the concurrence of the house of representatives.

Message from the senate by Mr. Barcroft:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have appointed messrs. Barcroft, Rector and Moore, a committee on the report of the commissioners appointed to fix the permanent seat of government for the state of Missouri, with leave to report by bill or otherwise.

message from the senate by mr. Barcroft:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate do agree to the amendment made by the house of representatives to the bill, entitled an act, to enable Husband and Wife to convey real estate belonging to the wife.

mr. Devore from the joint committee of enrollments, Reported, that they have examined and find truly enrolled, an act supplementary to an act, regulating the mode of electing Officers of the Militia, dividing the state into Divisions and Brigades and for other purposes. An act to amend an act, to regulate retailers of Wines and Spiritous Liquors. And an act to amend an act, to provide for levying, assessing and collecting state and county taxes. Also, resolutions relative to printing the Laws and Journals.

mr. Speaker signed the said acts and resolutions, and they were sent to the senate for the signature of the President.

mr. Devore submitted, the following resolution, to wit:

Resolved, That a committee be appointed to enquire into the expediency of establishing and opening a State Road, from the town of St. Louis, by the town of St. Charles, to Franklin, in Howard county, with leave to report by bill or otherwise.

On motion of mr. Parmer. It was

Ordered,

That the consideration of said resolution be postponed until the next session of this General Assembly

mr. M'Girk submitted the following resolution, to wit:

Resolved, by the Senate and House of Representatives, That both houses will adjourn on Saturday, the 23d instant without day.

motion of mr. Devore,

To amend said resolution, by striking out all after the word "adjourn" and insert in lieu thereof the words "when they may have completed the business for which they were convened."

Was decided affirmatively.

On motion of mr. Devore: It was

Ordered,

That the said resolution be postponed indefinitely.

On motion of mr. Harris:

The house again resolved itself into a committee of the whole, and took into consideration the bill for the establishment of a Loan Office and for other purposes. Mr. English in the chair, after some time spent therein, the committee rose and reported said bill with sundry amendments.

On motion of mr. Ball:

The further consideration of said bill was postponed indefinitely.

YEAS 22. NAYS 21.

Those who voted in the affirmative are

messrs. Allen, Biggs, Ball, Boulware, Devore, Dougherty, Elston, Evans, English, Harris, Johnson, Le Duc, Monroe, Murphy, M'Girk, Rutter, Rubottom, Smiley, Stuart, Stevenson, Wright, and Geyer, speaker.

Those who voted in the negative are

messrs. Alcorn, Bates, Caldwell, Graves, Green, Heath, Hudspeth, Hall, Lillard, Musick, M'Farland, Parmer, Rogers, Relfe, Smith, Strother, Williams, Walton, Waters, St. G. Waters, N M. and Young.

mr. Heath in pursuance of notice, asked and obtained leave to introduce a bill, to regulate the practice of Medicine and Surgery in this state—which was read a first time.

Ordered,

That said bill pass to a second reading.

mr. Green gave notice, that on Thursday next, he would ask leave to introduce a bill, to amend the charter of the Bank of Missouri. And a bill to regulate the sale of property under execution.

The house adjourned to 8 o'clock to-morrow morning.

* * *

Wednesday, June 20th, 1821.

mr. Ball from the select committee, to whom was referred the enquiry into the expediency or inexpediency of establishing a State Bank upon a borrowed specie capital, Reported, a bill for the establishment of a State Bank, which was read a first time.

On motion of mr. Parmer.

The further consideration of said bill was postponed indefinitely.

YEAS 24.	NAYS 17.

Those in the affirmative are,

messrs. Allen, Biggs, Bates, Devore, Dougherty, Elston, Graves, Green, Heath, Hudspeth, Lillard, Monroe, Murphy, M'Girk, Parmer, Rogers, Relfe, Rutter, Rubottom, Smiley, Stevenson, Strother, Williams and Wright.

Those in the negative are,

messrs. Alcorn, Ball, Boulware, Caldwell, Evans, Harris, Hall, Johnson, Leduc, Musick, M'Farland, Stuart, Walton, Waters, Ste. G. Waters, N. M. Young and Geyer, speaker.

Previous to this vote having been taken Mr. Leduc, asked and obtained leave to introduce a petition and sundry resolutions from a number of the inhabitants of the county of St. Louis, relative to the establishment of a Bank to be bottomed upon the credit and resources of the state.

message from the senate by mr. Emmons :

Mr. Speaker,

I am instructed to inform the house of representatives, that the senate concur in passing the bill, entitled an act, to reduce the compensation of the members of the General Assembly, with sundry amendments, which are herewith sent for the concurrence of the house of representatives.

mr. Bates from the joint committee of conference on the disagreement, between the two houses, relative to the Solemn Public Act, declaring the assent of this state to the fundamental condition contained in a resolution passed by the Congress of the United States providing for the admission of the state of Missouri into the Union, on a certain condition, Reported, that they have had the same under consideration, and have agreed to recommend, 1st. to the senate, to recede from their amendment to the said act, And 2nd. to both houses the adoption of the following amendments, to wit:. Strike out the words "do most solemnly declare" in the 14th and 15th lines of the 2d clause of the preamble, and insert in lieu thereof the words "are of opinion."

On motion of Mr. Rutter :

The said report was concurred in.

YEAS 40. NAYS 2.

Those in the affirmative, are

Messrs. Alcorn, Allen, Biggs, Ball, Boulware, Bates, Caldwell, Devore, Dougherty, Elston, Evans, English, Graves, Green, Harris, Hudspeth, Hall, Johnson, Lillard, Leduc, Monroe, Musick, Murphy, M'Farland, Parmer, Rogers Relfe, Rutter, Rubottom, Smiley, Stuart, Stevenson, Strother, Williams, Wright, Walton, Waters. Ste. G. Waters, x. M. Young and Geyer, speaker.

Those in the negative, are

Messrs. Heath and M'Girk.

Ordered,

That the senate be informed thereof.

On motion of Mr. Alcorn, it was

Ordered,

That Nicholas S. Burckhart, have leave to withdraw the documents accompanying his petition.

On motion of mr. Ball : It was

Ordered,

That the committee of the whole house be discharged from the further consideration of the bill supplementary to the several acts heretofore passed defining the powers and duties of Justices of the Peace in matters of a civil nature.

mr. Williams gave notice, that on to-morrow he would ask leave to introduce a bill concerning persons bartering on property. Also, a resolution requiring the Clerk of the Circuit Court of Howard County to transmit to the assessors of Chariton and Ray counties, a list of all lands in the military bounty tract, which have been conveyed by the original patentees.

mr. Rutter pursuant to notice, asked and obtained leave to introduce a bill to repeal all laws for the collection of debts, which was read a first time.

On the question shall the said bill, be read a second time.

It was decided in the negative.

YEAS 6. NAYS 31.

Those in the affirmative, are

messrs. Bates, Hudspeth, Murphy, M'Farland, Rutter, and Geyer, speaker.

Those in the negative, are

messrs. Alcorn, Allen, Biggs, Boulware, Devore, Dougherty, Elston, Evans, English, Graves, Green, Harris, Heath, Hall, Johnson, Lillard, Leduc, Monroe, Musick, M'Girk. Parmer, Rogers, Relfe, Rubottom, Smiley, Smith, Stuart, Stevenson, Strother, Wright, Walton, Waters, Ste. G. Waters, N. M. and Young.

Message from the senate by Mr. Perry :

Mr. Speaker,

I am instructed to inform the house of representatives, that the senate do agree to the report of the joint committee of conference on the disagreement between the two houses relative to the Solemn public act, declaring the assent of this state to the fundamental condition contained in a resolution passed by the congress of the U. States, providing for the admission of the state of Missouri into the Union on a certain condition, which act is herewith sent to the house of representatives.

The bill to regulate the practice of Medicine and Surgery in this state, was read a second time.

motion of mr. Stuart:

That the said bill be postponed until the next session of this General Assembly.

Was decided in the negative.

On motion of Mr. Heath: It was

Ordered,

That the said bill be committed to a committee of the whole house, and made the order of the day for to-morrow.

The report of the committee of the whole on the bill supplementary to the several acts heretofore passed, defining the powers and duties of Justices of the Peace in matters of a civil nature, was taken up and agreed to.

On motion of mr. Ball: It was

Ordered,

That the said bill be engrossed and read a third time, this day.

motion of mr. Smith:

That the message from the governor of the 16th instant, with the accompanying documents, be taken up.

Was decided in the negative.

The amendments made by the senate to the amendments of the house of representatives, to the proposed amendments to the constitution of this state, were taken up and read,

It was decided by the chair, that the 1st amendment, (being the rejection of a section,) was not subject to be further acted on by this house.

The question on agreeing to the second amendment,

Was decided affirmatively,

YEAS 41. NAYS 1.

Those in the affirmative are,

messrs. Alcorn, Allen, Biggs, Ball, Bates, Boulware, Caldwell, Dougherty, Elston, Evans, English, Graves, Green, Harris, Heath, Hall, Johnson, Lillard, Leduc, Monroe, Mu sick, Murphy, M'Girk, M'Farland, Parmer, Rogers, Relfe, Rutter, Rubottom, Smiley, Smith, Stuart, Stevenson, Strother, Williams, Wright, Walton, Waters, Ste. G. Waters N. M. Young and Geyer speaker.

In the negative,

Mr. Hudspeth.

The question on agreeing to the third amendment,

Was decided affirmatively

YEAS 29. NAYS 13.

Those in the affirmative are,

messrs. Alcorn, Allen, Biggs, Boulware, Bates, Caldwell, Elston, English, Graves, Green, Harris, Hudspeth, Hall, Johnson, Lillard, Monroe, Murphy, M'Farland, Parmer, Rogers, Relfe, Rutter, Rubottom, Smiley, Smith, Stevenson, Strother, Williams and Wright.

Those in the negative are,

messrs. Ball, Dougherty, Evans, Heath, Leduc, Musick, M'Girk, Stuart, Walton, Waters, Ste. G. Waters, N. M. Young and Geyer speaker.

The 4th, 5th, 6th, 7th, 8th, 9th, 10th and 11th, amendments, were severely agreed to.

The question, on agreeing to the 12th amendment.

Was decided affirmatively,

YEAS 35. NAYS 6.

Those in the affirmative, are

messrs. Alcorn, Allen, Biggs, Ball, Boulware, Bates, Caldwell, Dougherty, Elston, Evans, English, Graves, Green, Hudspeth, Hall, Johnson, Lillard, Monroe, Musick, Harris. Murphy, M'Farland, Parmer, Rogers, Relfe, Rutter, Rubottom, Smiley, Smith, Stuart, Stevenson, Strother, Williams. Wright, Waters, Ste. G. and Young.

Those in the negative are,

messrs. Heath, Leduc, M'Girk, Walton, Waters, N. M. Geyer, speaker.

The question on agreeing to the 13th amendment,

Was decided in the negative.

Ordered,

That the senate be informed thereof.

The amendments made by the senate to the bill, entitled an act to reduce the compensation of the members of the general assembly, were taken up and read.

motion of mr. Waters of N. M.

To amend the 1st amendment by striking out the word “ present.” and insert in lieu thereof the word “ next.”

Was decided in the negative.

The question on agreeing to the 1st amendment,

Was decided in the negative.

motion of mr. Heath :

To amend the second amendment by striking out the words “ and of the house of representatives shall be allowed the sum of three dollars per day for their services” in the 6th, 7th and 8th lines, and insert in lieu thereof the words “ shall be allowed for his services three dollars per day, and the Door Keeper of the house of representatives shall be allowed four dollars per day for his services.

Was decided in the negative.

motion of mr. Stuart :

To amend the 2d amendment by striking out the word “ five” in the 3d line, and insert thereof the word “ six.”

Was decided affirmatively.

motion of mr. Smith :

Further to amend the 2d amendment by striking ont the word “ four” in the 10th line, and insert the word “ five.”

Was decided in the negative.

motion of mr. Johnson :

Further to amend the 2d amendment by striking out the word “ four” in the 10th line, and insert the word “three.”

Also decided in the negative.

The question on agreeing to the said second amendment, as amended,

Was decided in the affirmative.

Ordered,

That the senate be informed thereof.

On motion of Mr. Stuart :

The house resolved itself into a committee, of the whole, and took into consideration the bill for the relief of Debtors and Creditors. Mr. Walton in the chair, after some time spent therein, the committee rose, reported progress, and asked leave to sit again, which was granted.

Message from the senate, by mr. Perry,

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate do recede from their first amendment to the bill, entitled an act, to reduce the compensation of the members of the General Assembly, and disagree to the amendment made by the house of representatives to their second amendment to said bill, which is herewith sent and request the house of representatives, to recede from their said amendment.

mr. Leduc from the joint committee of enrollments, Reported, That they had examined and found truly enrolled, an act, to enable husband and wife to convey real estate belonging to the wife.

mr. Speaker signed the said act, and it was sent to the senate for the signature of the President.

On motion of mr. Green : It was

Ordered,

That the engrossed bill, supplementary to the several acts heretofore passed defining the powers and duties of Justices of the Peace in matters of a civil nature, be laid on the table.

The disagreement of the senate to the amendment made by this house to their second amendment, to the bill, entitled 'an act, to reduce the compensation of the members of the general Assembly, was taken into consideration.

On motion of mr. Stuart : It was

Resolved, That this house do insist upon their said amendment.

Ordered,

That the senate be informed thereof.

motion of mr. Leduc :

That the vote taken yesterday on the indefinite postponement of the bill for the establishment of Loan Offices, and for other purposes, be reconsidered.

Was decided affirmatively.

YEAS 23. NAYS 18.

Those in the affirmative are,

messrs. Alcorn, Boulware, Bates, Caldwell, Green, Heath, Hall, Johnson, Lillard, Leduc, Musick, M'Farland, Parmer, Rogers, Relfe, Smith, Strother, Williams, Wright, Walton, Waters Ste. G. Waters N. M. and Young.

Those in the negative are,

messrs. Allen, Biggs, Ball, Dougherty, Elston, Evans, English, Graves, Harris, Monroe, Murphy, M'Girk, Rutter, Rubottom, Smiley, Stuart, Stevenson and Geyer speaker.

The house adjourned to 8 o'clock to-morrow morning.

* * *

Thursday, June 21st, 1821.

mr. Allen presented the petition of sundry inhabitants of Montgomery county, praying that no Banks may be established or Stop Laws passed.

On motion of mr. Allen: It was

Ordered,

That the said petition be laid on the table.

On motion of mr. M'Girk: It was

Ordered,

That the house be called, when every member answered from his seat, except mr. Strother who was reported sick and mr. Ball, who both soon afterwards appeared in their seats.

The question recurring on the indefinite postponement of the bill for the establishment of a Loan Office, and for other purposes.

It was decided in the negative.

YEAS 21. NAYS 22.

Those in the affirmative, are

Messrs. Allen, Biggs, Ball, Dougherty, Elston, Evans, English, Graves, Harris, Johnson, Monroe, Murphy, M'Girk. Rutter, Rubottom, Smiley, Smith, Stuart, Stevenson, Wright, and Geyer, speaker.

Those in the negative, are

Messrs. Alcorn, Boulware, Bates, Caldwell, Devore, Green, Heath, Hudspeth, Hall, Lillard, Leduc, Musick, M'Farland, Parmer, Rogers, Relfe, Strother, Williams, Walton, Waters, Ste. G. Waters, N. M. and Young.

Message from the senate, by mr. Logan :

MR. SPEAKER,

I am instructed to inform the house of representatives that mr. Logan did on yesterday introduce into the senate a resolution for defining the southern boundary of this state, which has had a first and second reading.

On motion of mr. Ball : It was

Ordered,

That the bill supplementary to the several acts heretofore passed defining the powers and duties of Justices of the Peace in matters of a civil nature, be recommitted to a select committee.

mr. Ball was appointed that committee.

mr. Ball from the select committee, reported the said bill with amendments, which were read a first & second time, the rule of the house having been dispensed with—(two thirds of the members concurring.)

motion of mr. Ball :

To amend said bill by adding the following as a 10th section, to wit.

"*Be it further enacted*, That in all actions brought before a Justice of the Peace, the original process shall be a summary, to be served as now provided by law—but when the plaintiff or some creditable person for him, shall make an affidavit that the defendant is justly indebted to said plaintiff, in a sum to be specified in such affidavit, and within the jurisdiction of the justice, and that he verily believes that the defendant is about to dispose of, or has disposed, of his property, with the intent to deceive or defraud his creditors, or that he is about to remove his property out of the township, and that the plaintiff is in danger of losing his debt. It shall be lawful for the justice to issue an attachment in like manner as is now provided by an act entitled 'an act to provide a method of proceeding against absent and absconding debtors, passed 17th December, 1818,' and the said attachment shall be a lien on the property attached from the time of levying the same, and of the summons issued against the defendant, shall be returned not served. An alias may be issued, and the attachment continued, (or renewed, if sufficient property be not attached:) upon the return of the alias not served, and the defendant do not appear, the like proceedings shall be had as in other cases of attachment—but if the defendant do appear, on or before the return of the summons, if served, or the day appointed in the order of publication for trial, before such justice, and file special bail to the action, the attachment shall be dissolved and the property restored, and when the defendant shall appear within time aforesaid, without bail, the cause shall proceed as in other cases, and the property be held to answer the judgment which may be entered against the defendant and in all actions which may be hereafter depending before any justice of the peace in which an attachment shall not have been issued, where the plaintiff or some person for him, shall make affidavit as herein before provided—an attachment shall be issued and the same proceedings had thereon as above provided, when the defendant is duly summoned, and the proceedings against Garnishees shall be the same as in other cases."

Which was agreed to.

On motion of mr. Bates, it was

Ordered,

That said bill be engrossed for a third reading to-morrow.

mr. Bates from the joint committee of enrollments, Reported, That they had this day presented to the Governor for his approbation,

An act supplementary to an act regulating the mode of electing officers of the militia, dividing the state into divisions and brigades, and for other purposes.

An act to amend an act to regulate retailers of wines and spirituous liquors.

An act to amend an act, to provide for levying, assessing & collecting state and county taxes.

An act to enable husband and wife to convey real estate belonging to the wife.

Also, a resolution relative to printing the Laws and Journals.

On motion of mr, Bates:

The rule of the house was dispensed with, (two thirds of the members concurring,) and he asked and obtained leave to introduce a bill to abolish imprisonment for debt. Which was read a first time.

Ordered,

That said bill pass to a second reading.

motion of mr. Bates:

That the rule of the house be again dispensed with, and the said bill be read a second time to day.

Was decided in the negative.

mr. Leduc from the joint committee of enrollments, Reported, That they had examined and found truly enrolled,

An act entitled "a solemn public act declaring the assent of this state to the fundamental condition contained in a resolution passed by the congress of the United States, providing for the admission of the state of Missouri into the union on a certain condition."

mr. Speaker signed said act, and it was sent to the senate for the signature of the president.

Message from the senate by mr. Logan:

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate have this day passed a resolution for defining the southern boundary of this state, which is herewith sent for the concurrence of the house of representatives.

Message from the senate by Mr. Barcroft:

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate do insist upon their disagreement to the amendment made by the house of representatives to the 2d amendment of the senate to the bill entitled an act to re duce the compensation of the members of the General Assembly, which bill and amendments are herewith returned.

The report of the committee of the whole on the bill for the establishment of a Loan Office, and for other purposes, was taken up and read.

motion of mr. Green :

To amend said report by striking out all the first section of the bill, after the word "into" in the first line, and insert in lieu thereof the words "five districts. The first district shall be composed of the counties of Ray, Chariton, Howard and Boone—The second district shall be composed of the counties of Lillard, Saline, Cooper and Cole—The third district shall be composed of the counties of Ralls, Pike, Lincoln, St. Charles, Montgomery, Callaway, Gasconade and Franklin—The fourth district shall be composed of the counties of St. Louis, Jefferson and Washington—and the fifth district shall be composed of the counties of St. Genevieve, Perry, Madison Wayne, Cape Girardeau and New Madrid, in each of which districts a Loan Office shall be established, and located as follows, to wit.

For the first district at ——— in the county of ———
For the second district at ——— in the county of ———
For the third district at ——— in the county of ———
For the fourth district at ——— in the county of ———
For the fifth district at ——— in the county of ———

Each of which Loan Offices shall be under the management of three commissioners."

Which was agreed to.

motion of mr. Devore ;

To amend said report by adding to the bill the following as a 29th section, to wit.

"*Be it further enacted*, That the Governor of this state is hereby authorised and required to receive proposals for the loan of an amount in gold or silver equal to the amount of certificates required to be issued under the authority of this act, which proposals shall be by him submitted to this General assembly at its next session, for their acceptance or rejection, and the amount of the loan if made under the authority of this act, shall be constituted and be a fund for the redemption of said certificates."

motion of mr. Ball:

To amend said proposed amendment by striking out the word "made" in the 7th line, and insert in lieu thereof the words, "if accepted by the general assembly."

Was agreed to.

motion of mr. Stuart:

Further to amend said proposed amendment by striking out all after the word "rejection" in the 8th line.

Was decided in the negative.

The said proposed amendment as amended was then agreed to.

motion of mr. Green:

To amend said report by striking out the words "one hundred;" in the 2d line of the 16th section, and insert in lieu thereof the words "two hundred."

Was agreed to.

motion of mr. Green:

To amend said report by striking out the words "on the first day of September annually," in the 2d line of the 10th section, and insert in lieu thereof the words "once in every three months."

Was also agreed to.

motion of mr. Rutter:

To amend said report by striking out the following proviso, at the end of the 15th section, to wit.

"Provided also, That the commissioners aforesaid shall never make a call for the payment of any instalment at a greater rate than ten per centum per annum, for every six months, and that whenever any instalment to a greater amount than at the rate of ten per centum per annum be required, at least sixty days previous notice shall be given to the person or persons thus required to pay,"

And insert in lieu thereof the following, to wit.

"Provided, however, that upon any person, who has obtained a loan under the provisions of this act, paying ten per centum on the amount loaned, it shall be the duty of the commissioners, and they are hereby required to reloan the balance, for the same time, and continue the same from time to time, as aforesaid, until the whole is paid, so as to call in the whole in five years. Provided, the commissioners shall always require such security as they may deem necessary for the security of the state—and provided also, that if the commissioners should not form a board for business, when any loan becomes due, the same shall stand continued of course, until the next regular meeting without affecting the debtor."

Was decided in the negative.

The said report as amended was then agreed to, and

On motion of mr. Green, it was

Ordered,

That the said bill be engrossed for a third reading tomorrow.

On motion of mr. Stuart:

The house resolved itself into a committee of the whole, & took into consideration, 1st a bill for the relief of debtors and creditors—2d a bill to prevent vexatious and exorbitant usury—3d a bill entitled an act to perfect land titles—and 4th a memorial to congress respecting the lead mines, mr. Bates in the chair, after some time spent therein, the committee rose and reported the bill for the relief of debtors and creditors, with sundry amendments, which were agreed to.

On motion of mr. Stuart, it was

Ordered,

That the said bill be engrossed for a third reading on Saturday next.

The committee of the whole reported the bill to prevent vexatious and exorbitant usury, with an amendment, to wit: striking out the first section with the enacting clause.

Which was agreed to.

The committee of the whole, also reported the bill, entitled an act, to perfect land titles, and the memorial to congress respecting the Lead Mines, without amendments.

On motion of mr. Ball: It was

Ordered,

That the bill entitled an act, to perfect land titles, be recommitted to a select committee.

Ball Stuart and Smith, were appointed that committee.

On motion of mr. Bates ; It was

Ordered,

That the memorial to Congress respecting the Lead Mines, be read a third time on to-morrow.

mr. Leduc from the joint committee appointed at the last session for the purpose of settling the books of the Auditor and Treasurer, asked and obtained leave to attend to that business during the sitting of the House.

The disagreement of the senate to the amendment made by this house to the 2d amendment of the senate, to the bill entitled an act, to reduce the compensation of the members of the general Assembly was taken into consideration.

On motion of mr. Green. It was

Ordered,

That a committee of conference be appointed on the subject of said disagreement.

messrs. Green, Stuart and Bates, were appointed that committee.

Ordered, That the senate be informed thereof.

And the appointment of a committee on their part, be requested.

The house adjourned to 8 o'clock to-morrow morning.

◆

Friday, June 22nd, 1821.

The bill to abolish imprisonment for Debts, was read a second time, committed to a committee of the whole house and made the order of the day for to-morrow.

On motion of mr. Evans : It was

Ordered,

That the message of the governor of the 9th instant, and the report of the select committee relative to the Bank of Missouri, and the pecuniary distress of the citizens of this state, and also the petitions from the counties of St. Louis and

Montgomery relative to the establishment of a Bank, &c. be laid on the table, until the next session of this general assembly.

The resolution from the senate for defining the southern boundary of this state, was read a first time.

Ordered,

That said resolution pass to a second reading.

mr. Ball from the select committee to whom was referred the bill entitled an act, to perfect land titles, reported the said bill with amendments, which were read a first and second time, the rule of the house having been dispensed with, (two thirds of the members concurring.

motion of mr. Ball:

To amend said amendments by inserting after the word "Peace" in the 1st line of the second section the words "Judges, Clerks of Courts or other persons authorised so to do."—was agreed to.

On motion of mr. Smith. It was

Ordered,

That the said amendments be engrossed for a third reading on to-morrow.

Message from the senate by Mr. Caldwell:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have appointed messrs. Caldwell and Byrd, a committee of conference to act jointly with the committee appointed by the house of representatives on the subject of the disagreement between the two houses on the bill entitled an act, to reduce the compensation of the members of the general Assembly.

message from the senate by mr. Barcroft:

MR. SPEAKER,

I am instructed to inform the house of representatives, that mr. Barcroft, did this day introduce a bill authorizing actions of ejectment, and actions of trespass to be maintained upon certain titles therein mentioned, and for the more convenient and general maintainance of the actions of ejectment, which has had a first and second reading.

On motion of mr. Elston :

The house resolved itself into a committee of the whole, and took into consideration 1st, a bill to amend certain acts respecting the proceedings in Chancery and suits at law.

2nd, a bill for the relief of Isaiah Todd, admr. and Nancy Murphy, admx. of Isaac Murphy, deceased, and John Sappington.

3rd, a bill to regulate proceedings on Penal Bonds.

4th, a bill to authorize certain proceedings in Chancery against heirs whose names are unknown.

5th, the report of the commissioners relative to the location of the permanent seat of government for the state of Missouri, and

6th, a bill entitled an act, reserving certain property from execution. - Mr. Hudspeth in the chair, after some time spent therein, the committee rose, and reported the four first above mentioned bills with amendments—which were severally agreed to.

The committee of the whole, reported that they had considered the report of the commissioners relative to the location of the permanent seat of government, and reported a bill and resolution on that subject, which were severally read a first time.

Ordered,

That said bill and resolution, pass to a second reading.

motion of mr. Rutter :

That the rule of the house be dispensed with, and the said resolution, be read a second time this day.

Was decided in the negative.

On the bill entitled an act, reserving certain property from execution, the committee of the whole reported progress, and asked leave to sit again, which was granted.

On motion of mr. Heath : It was

Ordered,

That the bill for the relief of Isaiah Todd, administrator and Nancy Murphy, administratrix of Isaac Murphy, deceased, be engrossed and read a third time to morrow.

On motion of mr. Evans. It was severally

Ordered,

That the bill to amend certain acts respecting the proceedings in Chancery and suits at law, and the bill to regulate proceedings on Penal Bonds, And also the bill to authorize certain proceedings in chancery against heirs whose names are unknown, be engrossed and read a third time on Monday next.

The memorial to congress respecting the Lead Mines, was read a third time and passed.

Ordered,

That the senate be informed thereof.

The engrossed bill supplementary to the several acts heretofore passed, defining the powers and duties of Justices of the Peace, in matters of a civil nature, was read a third time.

On motion of Mr. M‘Girk:

That the blank in the last line of the said bill, be filled with the word "September."

Was decided in the negative.

motion of mr. Stuart:

That the said blank be filled with the word "August."

Was also decided in the negative.

On motion of Mr. Ball; It was

Ordered,

That the said blank be filled with the word "July."

The said bill was then passed, title "an act," sent to the senate for concurrence.

mr. Leduc from the joint committee appointed at the last session, to settle the books of the Auditor and treasurer, made the following report, to wit:

"Conformably to a resolution passed by the general assembly of the state of Missouri, approved 12th December, 1821, your committee have examined and found that there was in the treasury, on the 15th day of December, 1818, $11829 37½. That there has been received from that time until the 31st of October, 1820, $26,607 86½, making a total of $38,437 24.—That from the said 15th day of Decembrr, 1818, to the 31st day of October, 1820, the auditor had drawn on the treasurer for the sum of $39,735 93, which left a balance against the state on the said 31st day of October, 1820, of $1,298 69— That after having examined and compared the vouchers and papers with the books in said offices, and finding the whole to be correct, your committee have destroyed the whole of the vouchers and papers up to the last date, all of which is respectfully submitted by your committee."

mr. Williams, pursuant to notice, asked and obtained leave to introduce a resolution requiring the clerk of the circuit court of Howard county to furnish the assessors of Ray and Chariton counties with a list of all lands in the military bounty tract, that have been transferred by the original patentee, which was read a first time.

Ordered,

That said resolution pass to a second reading.

mr. Green asked and obtained leave to introduce a resolution requiring the Governor to transmit duplicate certified copies of the act entitled " A Solemn public act, declaring the assent of this state to the fundamental condition contained in a resolution passed by the congress of the U. States, providing for the admission of the state of Missouri into the Union on a certain condition," to the President of the United States and to each of our Senators and Representatives in Congress, which was read a first and second time, the rule of the house house having been dispensed with—(two thirds of the members concurring.

On motion of mr. Evans, it was

Ordered,

That said resolution be engrossed for a third reading on tomorrow.

On motion of mr. Green, it was

Resolved, That a committee of three members be appointed to enquire into the propriety of endeavoring to procure from the treasury of the United States, an emission of scrip to be receivable in payment for public lands, and report thereon.

Messrs. Green, Caldwell and Leduc, were appointed that committee.

mr. M'Girk presented sundry resolutions from the inhabitants of Howard and Coopr counties, remonstrating against the establishment of a bank, and the impropriety of passing any laws interfering with the collection of debts.

On motion of mr. M'Girk, it was

Ordered,

That said resolution be laid on the table.

Mr. Green presented also sundry resolutions from the inhabitants of Howard and Chariton counties, exhibiting different views of the same subjects.

Which were also ordered to be laid on the table.

Message from the senate by Mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of representatives that mr. Perry did this day introduce a bill concerning the secretary of state, which has had its first and second reading.

On motion of mr. Rogers, it was

Ordered,

That the house be called, when every member answered from his seat, except messrs. Devore, Hall and Smith, who were sent for, and shortly appeared.

The engrossed bill for the establishment of a Loan Office, and for other purposes, was read a third time.

Motion of Mr. Parmer:

That the blanks in the 14th line of the 1st section be filled with the words 'Chariton' and 'Chariton.'

Was decided in the affirmative.

motion of mr. Williams:

That the blanks in the 15th line of the 1st section be filled with the words 'Booneville, and 'Cooper.'

Was decided in the affirmative.

motion of mr. Evans:

That the blanks in the 16th line of the 1st section be filled with the words 'St. Charles' and 'St. Charles.'

Was decided in the affirmative.

motion of mr. Leduc:

That the blanks in the 17th line of the 1st section be filled with the words 'St. Louis' and 'St. Louis.'

Was decided in the affirmative.

motion of mr. Rutter:

That the blanks in the 18th line of the 1st section be filled with the words 'Jackson' and 'Cape Girardeau.'

Was decided in the affirmative.

motion of mr. Devore:

To amend said bill by striking out from the word 'Missouri,' in the 2d line, to the word 'each,' in the 19th line of the 1st section, and insert in lieu thereof the words,

" That a Loan Office shall be established and located in each Judicial district, as now established by law, to wit.

For the 1st district, at Franklin, in the county of Howard.

For the 2d district, at St. Charles, in the county of St. Charles.

For the 3d district, at St. Louis, in the county of St. Louis.

And for the 4th district, at Jackson, in the county of Cape Girardeau.

Was decided in the negative.

motion of mr. Rutter:

To amend said bill by inserting after the word "only" in the 4th line of the 15th section, the words "and in each district a proportion shall be loaned to the citizens of each county therein, according to the numbers thereof."

Which was read a first, second, and third time, the rule of the house having been previously dispensed with—(two thirds of the members concurring,) and agreed to.

On the question, Shall the bill, as amended, pass.

It was decided affirmatively—Yeas 23, Nays 20.

Those in the affirmative are,

messrs. Alcorn, Boulware, Bates, Caldwell, Devore, Graves, Green, Heath, Hudspeth, Hall, Lillard, Leduc, Musick, M'Farland, Parmer, Rogers, Relfe, Strother, Williams, Walton, Waters Ste. G. Waters s. m. and Young.

Those in the negative are,

messrs. Allen, Biggs, Ball, Dougherty, Elston, Evans, English, Harris, Johnson, Monroe, Murphy, M'Girk, Rutter, Rubottom, Smiley, Smith, Stuart, Stevenson, Wright, and Geyer speaker.

Title "an act for the establishment of Loan Offices," Sent to the senate for concurrence.

mr. Bates asked and obtained leave to introduce a resolution requiring the auditor of public accounts to lay before the General Assembly a list of all balances due the state, and by whom due, which was read a first and second time, the rule of the house having been dispensed—(two thirds of the members concurring.)

motion of mr. Rutter:

To amend said resolution by striking out the words "on the first day of December last."

Was decided in the affirmative.

On motion of mr. Devore, it was

Ordered,

That the said resolution be engrossed and read a third time on to-morrow.

The house adjourned to 8 o'clock to-morrow morning.

◆

Saturday, June 23d, 1821.

mr. Leduc from the joint committee of enrollments, Reported, that they had examined and found truly enrolled, the proposed amendment to the constitution of the state of Missouri.

mr. speaker signed the said proposed amendments, & they were sent to the senate for the signature of the President.

motion of mr. Rutter,

That a committee be appointed to enquire into the expediency of amending an act, to provide for taking an enumeration of the inhabitants of the state of Missouri, and report thereon.

Was decided in the negative.

The resolution for defining the southern boundary of this state, and the bill supplementary to an act, to provide for the location of the permanent seat of government for the state of Missouri, and also the resolution relative to the selection of land whereon to locate the permanent seat of government, Were severally read a second time, committed to a committee of the whole house and made the orders of the day for Monday next.

The resolution requiring the clerk of the Circuit court of Howard county to furnish the assessors of Ray and Chariton counties, with a list of all the lands in the military bounty tract, that has been transferred by the original patentee, was read a second time.

On motion of mr. Green : It was

Ordered,

That said resolution be engrossed for a third reading on Monday next.

The resolution requiring the Governor to transmit duplicate certified copies of the Solemn Public Act, &c. to the President of the United States and to each of our senators and representatives in congress, was read a third time and passed, sent to the senate for concurrence.

The resolution requiring the Auditor of Public Accounts to lay before the General Assembly a list of all balances due the state, and by whom due, was read a third time.

motion of mr. Leduc :

To amend said resolution by adding after the word 'thereof' the words 'on or before Wednesday next.'

motion of mr. Heath :

To amend said amendment by striking out " Wednesday and inserting, Saturday."

Was decided in the negative.

The question recurring on the main amendment,

It was also decided in the negative.

motion of mr. Green :

To amend said resolution by adding after the word ' thereof,' the words ' at the next session of this general Assembly.'

Was decided affirmatively.

motion of mr. Devore :

To amend said resolution by striking out the word 'list' and inserting the word ' transcript.'

Was decided in the negative.

On motion of mr. Heath : It was

Ordered,

That the said resolution with the amendment be engrossed for a third reading on Monday next.

On motion of mr. Devore: It was

Ordered,

That the governor's message of the 16th instant, with the accompanying documents, also the resolutions presented yesterday from Howard and Cooper, and Howard and Chariton Counties, be laid on the table, until the next session of this General Assembly.

mr. Green from the joint committee of conference on the disagreement between the two houses, relative to the Bill entitled an act, to reduce the compensation of the members of the General Assembly, Reported, that the committee recommend to the house of representatives, to recede from their amendment to said bill, which was agreed to.

Ordered,

That the senate be informed thereof.

mr. Williams pursuant to notice, asked and obtained leave to introduce a bill to perfect contracts entered into for property, which was read a first time.

On motion of mr. Williams: It was

Ordered,

That the further consideration of said bill be postponed, until the next session of this General Assembly.

On motion of mr. Stuart:

The rule of the house was dispensed with, (two thirds of the members concurring), and he asked and obtained leave to introduce a bill to prevent frauds, which was read a first time.

On motion of mr. Harris:

The rule of the house was again dispensed with, (two thirds of the members concurring,) and the said bill, was read a second time.

On motion of mr. Evans: it was

Ordered,

That the said bill be engrossed and read a third time on Monday next.

On motion of mr. Evans:

The house resolved itself into a committee of the whole, and took into consideration. 1st, a bill entitled an act, reserving certain property from execution. And, 2nd, a bill to regulate the practice of Medicine and Surgery in this state. mr. Hall in the chair, after some time spent therein, the committee rose, and reported the 1st above mentioned bill, with sundry amendments thereto, which was agreed to. On the second above mentioned bill, the committee of the whole—Reported progress, and asked leave to sit again, which was granted—and

Ordered,

That the said bill be printed.

On motion of mr. Bates: it was

Ordered,

That the amendments reported by the committee of the whole to the bill, entitled an act, reserving certain property from execution, be engrossed, and with the bill, be read a third time on Monday next.

On motion of mr. Leduc: It was

Ordered,

That the following report of the select committee, relative to the admission of the state of Missouri into the Union, be inserted on the Journal of this house, to wit:

"The committee to whom was referred so much of the governor's message, as relates to the resolution of Congress providing for the admission of the state of Missouri into the Union, have had the same under consideration, and beg leave to report:

That it is to be viewed with much regret, the occurrence of any controversy which may have arisen in Congress, upon the admission of the state of Missouri into the Union upon an equal footing with the original states, more especially as this controversy has been very much calculated to disturb the peace and harmony of the union, so much to be deprecated by every friend and patriot of his country.

But it affords matter of gratulation, that a period has at length arrived, when an end, is likely to be put to this dispute upon principles of safety to the constitution of the U. States, and compatible with the just rights of Missouri.—— Your committee cannot entertain the idea, that congress could ever have supposed, that the convention which formed the Constitution of Missouri, or any legislative body organized under the same, could have intended, or can ever hereafter intend, by any official and public act of theirs, to infringe upon any of the articles or provisions contained in the constitution of the United States, inasmuch as this idea, is at once repelled by the consideration that the first obligation imposed by that convention upon themselves, and by the constitution which they formed, upon all succeeding legislative bodies, was, and is, a solemn oath to support the constitution of the United States, which oath ever has been, and it is to be hoped ever will be considered, as of paramount authority and obligation; and as a further consideration it is to be hoped they may be permitted to add, without being deemed arrogant, that the citizens of Missouri, as duly appreciate their obligations under the constitution of the United States, and the blessings of a happy union under the same, and feel as ardent an attachment to it, as an inheritance transmitted to them by their forefathers, and as the great charter of their political and civil liberty, as any other portion of the confederacy, and that they can have no other wish, than to see it handed down, unimpaired to their latest posterity. If therefore the Convention have erred in the formation of any one article of the Constitution of Missouri, it must have been unintentionally done: but it is not believed by your committee that they have erred, even in the clause objected to, upon its true construction and meaning.

The Convention in forming the Constitution of Missouri, had as every succeeding legislative body under the same, will have in all their official and public acts, in the first instance, to consult their own sound discretion and judgment, in order to prevent any interference with the provisions of the Federal Constitution; yet if they should at any time have been so unfortunate as unintentionally to commit an error, it is believed that the Judiciary of the United States is the only proper tribunal, constituted for the final decision of all such questions, when an injury shall have been sustained and complained of.

That the general government have no right, when a territory as Missouri was, shall have been authorized to form a constitution of state government for herself, to interfere in the free and unrestrained exercise of that right, by imposing any previous conditions and restrictions whatever. But that in all such cases the general government, as well as the other states in the union, will ever have to depend, in the first instance, upon the sound discretion, judgment and patriotism of the territory, as upon that of the states, in not disturbing the harmony of the union by any unconstitutional act of hers: It was supposed the positions as herein stated, had not only been fully sanctioned by the decision of Congress in the case of Missouri, at the session before the last. But it is also believed that they have been always heretofore acted on by them, in the admission of new states into the union: It is therefore, deeply regretted, that Congress should have changed this liberal, just and pacific course as heretofore pursued and extended towards the other new states, coming into the union, by adopting a very different one towards Missouri.

It was fondly hoped, as had been the expectation of all, that this dispute had been finally ended, at the session before thelast of Congress, when an attempt was made by those unfriendly to the rights of Missouri, to impose certain restrictions upon her in the formation of her constitution, but which not having been sustained, ended in a sort of compromise, which left Missouri, as she should be, free to form her own constitution without any other restraint or condition, than what the constitution of the United States imposes. But in this just expectation we have found ourselves disappointed.— For during the last session of Congress, when Missouri by her constitutional agents, had presented her constitution, the dispute was again revived by seizing upon a single clause in her constitution, (not palpably contrary to any part of the Federal compact, but at most, could only be construed, as of doubtful meaning,) and Missouri thereby denied admission. This second dispute, like the first, also ended in a sort of compromise, which produced a resolution of Congress, approved on the second day of March, eighteen hundred and twenty one, "providing for the admission of Missouri into the Union upon an equal footing with the original states." But upon a previous condition to be performed or complied with, by means of her Legislative body as therein expressed, and which is in the words following, to wit:

"Upon the fundamental condition that the fourth clause of the twenty sixth section of the third article of the constitution, submitted on the part of said state to congress, shall never be construed to authorise the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the states in this union, shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the constitution of the United States: *Provided*, That the legislature of the said state, by a solemn public act, shall declare the assent of said state to the said fundamental condition, and shall transmit to the president of the United States, on or before the fourth Monday of November next, an authenticated copy of the said act, upon the receipt whereof, the President, by proclamation, shall announce the fact, whereupon, and without any further proceeding on the part of congress, the admission of the said state into the union shall be considered as complete."

Could it be conceived that the foregoing resolution, in its scope or meaning, required a relinquishment of any right or portion of state sovereignty, as guaranteed to Missouri in common with the other states by the Federal compact. The Legislature of Missouri acting as they now are, in the capacity of an ordinary legislative body, and under a solemn obligation to support the constitution of Missouri, and the rights of her citizens, could not be considered as either competent or at liberty, agreeably to that constitution, to pass any act for the adoption of said resolution.—But it is considered and be, lieved that the aforesaid resolution of congress, by leaving the question as to what constitutes a citizen of either of the states in the union, under the constitution of the United States, still open and undecided—Leaves Missouri in full possession of all her legitimate powers, and although Missouri by the adoption of the condition contained in the said resolution, as fundamental to her admission into the union, would ever thereafter be bound in good faith to observe it, in its true import and meaning. Yet, should she hereafter think it became necessary for her to pass any law under the said fourth clause of the 26th section of the 3d article of her constitution, upon the subject of prohibiting the emigration of free negroes and mulattoes into the state, she would not, by the adoption of the said resolution of congress, be precluded from so doing, not only because it has never yet been decided in any judicial way, whether any part of that class of population, as it exists in the several states of the Union, and under a true construction of the Federal Constitution, are to be considered as entitled to all the privileges and immunities of citizens. It having never been agitated in this country before the late session of congress. But likewise, it is considered by all parties, that by far the greatest part of the free negroes and mulattoes of the different states, have no pretention whatever to the claim of such privileges and immunities under the constitution or laws of the respective states where they inhabit, consequently cannot be considered as within the meaning of the aforesaid resolution of congress; therefore, Missouri will be at liberty, consistently with her pledged faith to the general government, to pass any general law upon the subject, provided it is with a proviso, or saving of the rights and privileges of any part of said class, or description of persons, as may be found under a true construction of the constitution of the United States to be citizens of any state in the Union, which, in point of substance, amounts to no further restriction on Missouri, than what the constitution of the United States had before tacitly imposed. It is the opinion, then, of your committee, that the aforesaid resolution of congress, must have been intended, rather as the last effort of contending parties, to end in some way their unprofitable dispute upon the subject, than as designed to effect any important change in the constitution of Missouri.

This view of the subject your committee think themselves warranted in entertaining, not only from the last construction which they are enabled to put upon the resolution itself, but from a full knowledge of all the circumstances attending the rise, progress and final termination of the dispute in Congress. Therefore as the said resolution of Congress for the admission of the state of Missouri into the union, does not, in the opinion of your committee, go to deprive Missouri of any essential right as the price of her admission. And considering that the present General Assembly must be equally desirous with the general government of putting an end to the dispute, and of restoring that peace and harmony which has so long been interrupted on account thereof, That it is deemed by your committee, both expedient and proper at this time to pass a solemn public act, declaring the assent of this state to the condition as contained in the said resolution of Congress, as fundamental to her final admission into the union.

But while your committee would recommend this pacific course towards the general government, thereby manifesting an attachment to our sister states, and how duly we appreciate the blessings of a speedy union with them. And while they would duly appreciate the talents and patriotic exertions of those members of Congress who laboured to maintain, not the rights of Missouri alone, but the just equipose of the national scales of public justice to be administered alike to all the states of the union; they at the same time would protest against the last attempt in Congress to deprive Missouri of her just rights and priviledges as enjoyed by the other states, and as equally guaranteed to all by the Federal Constitution.

Your committee after having expressed what they conceive to be the opinion and sentiments of the citizens of Missouri generally upon this subject, Recommend the passage of the bill herewith reported."

The house adjourned to half past 8 o'clock, on Monday morning.

Monday, June 25th, 1821.

mr. Evans presented the petition and documents of Anthony C. Parmer, late sheriff of St. Charles county, praying to be relieved from the fine of twenty per centum on the amount of certain taxes, for the payment of which, lands had been sold, and purchased by the (late Territory, now) state of Missouri.

On motion of mr. Green : It was

Ordered,

That the said petition and documents be referred to the committee on Propositions and Grievances.

Message from the senate, by mr. Rector,

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate concur in passing the bill, entitled an act, for the establishment of loan offices, which is he ewith returned.

Message from the senate, by mr. Perry :

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have agreed to the report of the committee of conference on the disagreement between the two houses relative to the bill, entitled an act, to reduce the compensation of the members of the General Assembly.

Message from the senate by Mr. Perry :

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have passed a bill, entitled an act, concerning the Secretary of State, which is herewith sent for the concurrence of the house of representatives.

Message from the senate by mr. Perry :

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate concur in passing the resolution requiring the governor to transmit, duplicate certified copies of the Solemn Public Act, declaring the assent of this state to the fundamental condition contained in a resolution passed by the congress of the U. States, providing for the admission of the state of Missouri into the Union on a certain condition," to the President of the United States and to each of our Senators and Representatives in Congress, which is herewith sent.

mr. Speaker presented the petition of mr. Shannon and others, commissioners for building a Court-House in the county of Ste. Genevieve, on the subject of default by the collector, in refusing to pay over the amount of taxes collected in said county for the purpose of building said Court-House.

On motion of mr. Relfe, it was

Ordered,

That the said petition be referred to the committee on the Judiciary.

message from the senate by mr. Perry:

Mr. Speaker,

I am instructed to inform the house of representatives, that the senate have postponed until the next General Assembly the bill, entitled an act, supplementary to the several acts heretofore passed, defining the powers and duties of Justices of the Peace in matters of a civil nature.

mr. Bates submitted the following resolution, to wit:

Resolved, that the committee of enrollments on the part of this house, are authorized, jointly with the committee of enrollments on the part of the senate, to procure one additional assistant clerk for the use of the two houses during the balance of the present session. Which was rejected.

The engrossed resolution requiring the Auditor of Public Accounts to lay before the General Assembly, a list of all balances due the State, and by whom due, was read a third time.

On motion of mr. Evans: It was

Ordered,

That the said resolution be postponed to the next session of this General Assembly.

The engrossed amendments to the bill from the senate, entitled, an act, to reserve certain property from execution, were read a first time.

On the question, shall the 1st amendment pass.

In was decided in the negative,

YEAS 11. NAYS 29.

Those in the affirmative are,

messrs. Ball, Devore, Dougherty, Green, Hudspeth, Leduc, Parmer, Stuart, Strother, Williams and Young.

Those in the negative are,

messrs. Alcorn, Allen, Biggs, Boulware, Bates, Elston, Evans, English, Graves, Harris, Heath, Hall, Johnson, Lillard, Monroe, Musick, Murphy, M'Girk, M'Farland, Rogers, Relfe, Rubottom, Smiley, Stevenson, Wright, Walton, Waters, Ste. G. Waters, N. M. and Geyer, speaker.

The second and third amendments were passed.

motion of mr. Green :

To amend the fourth amendment by adding the words "together with three beds and furniture for the use of the debtors family, and all property the proceeds of the industry of the woman."

Was decided in the negative.

The said fourth amendment was then passed,

YEAS 24. NAYS 16.

Those who voted in the affirmative are

messrs. Biggs Ball Boulware Bates Devore Dougherty Evans Green Harris Hudspeth Johnson Lillard Leduc Musick Parmer Rogers Stuart, Strother, Stevenson, Murphy, Williams Waters, St. G. Waters, N. M. and Geyer, speaker.

Those who voted in the negative are

messrs. Alcorn Allen Elston English Graves Heath Hall Monroe M'Girk M'Farland Relfe Rubottom Smiley Wright Walton and Young.

The said bill as amended was read a third time.

motion of mr. Devore.

That the said bill be postponed until the next session of this General Assembly, Was decided in the negative.

YEAS 12. NAYS 28.

Those in the affirmative, are

messrs. Allen Devore Dougherty Elston English Graves Lillard Monroe M'Girk M'Farland Smiley and Wright.

Those in the negative, are

messrs. Alcorn Biggs Ball Boulware Bates Evans Green Harris Heath Hudspeth Hall Johnson Leduc Musick Murphy Parmer Rogers Relfe Rubottom Stuart Strother Stevenson Williams Walton Waters, Ste. G. Waters N. M. Young and Geyer, speaker.

On the question, shall the said bill pass,

It was decided affirmatively,

YEAS 26. NAYS 15.

Those in the affirmative are,

messrs. Biggs Ball Boulware Bates Dougherty Evans Green Harris Heath Hudspeth Johnson Leduc Musick Murphy Parmer Rogers Relfe Rubottom Smith Stuart Stevenson Strother Williams Waters Ste. G. Young and Geyer, speaker.

Those in the negative are,

messrs. Alcorn Allen Devore Elston English Graves Hall Lillard Monroe M'Girk M'Farland Smiley Wright Walton and Waters, N.M.

Ordered,

That the senate be informed thereof.

The engrossed amendments to the bill from the senate entitled, an act, to perfect land titles, were read a third time.

On the question, shall the 1st amendment pass,

It was decided in the negative.

On motion of mr. Stuart, it was

Ordered,

That the further consideration of said bill and amendments be postponed until the next session of this General Assembly.

The engrossed resolution requiring the Clerk of the Circuit Court of Howard county, to furnish the assessors of Ray and Chariton counties with a transcript of all the lands in the military bounty tract, that have been conveyed, by the original patentee. Was read a third time.

motion of mr. M'Girk:

To amend said resolution, by inserting after the word 'allow' in the last line but one, 'the Clerks of the Circuit Court.'

Was decided in the negative.

The said resolution was then passed,

Sent to the senate for concurrence.

The engrossed bill to prevent frauds, were read a third time, and passed, title "an act," sent to the senate for concurrenc

message from the governor, by mr. Pettus:

To the Senate and House of Representatives,
of Missouri.

I have approved and signed the following acts, to wit:

An act supplementary to an act, defining the limits of Howard county, and laying off new counties within the limits of said county as heretofore defined.

An act supplementary to an act, regulating the mode of electing officers of the militia, dividing the state into Divisions and Brigades and for other purposes. Also, a resolution relative to printing the Laws and Journals.

ALEXANDER M'NAIR,

St. Charles, 23d June 1821.

The engrossed bill for the relief of Isaiah Todd, administrator and Nancy Murphy, admx. of Isaac Murphy, deceased, and John Sappington, was read a third time and passed, title "an act" sent to the senate for concurrence.

The engrossed bill to authorize certain proceedings in Chancery against heirs, whose names are unknown, was read a third time, and passed, title "an act, sent to the senate for concurrence.

The engrossed bill to amend certain acts, respecting the proceedings in Chancery and suits at law, was read a third time, and passed, title "an act" sent to the senate for concurrence.

The bill from the senate, entitled an act, concerning the Secretary of State, was read a first time.

Ordered,

That said bill pass to a second reading.

mr. Green from the select committee to whom was refer- d the enquiry into the propriety of endeavoring to procure a emission of notes from the treasury of the United States, be receivable in payment of Public Lands, made a report, ccompanied with resolutions on that subject, which was ead a first time.

Ordered,

That the said resolutions pass to a second reading.

mr Green, pursuant to notice, asked and obtained leave to introduce a bill to amend the charter of the bank of Missouri, which was read a first time,

Ordered,

That said bill pass to a second reading.

On motion of mr. Green:

The rule of the house was dispensed with—(two thirds of the members concurring,) and the said bill was read a second time, committed to a committee of the whole house, & made the order of the day for to-morrow.

mr. Williams submitted the following resolution, to wit.

"*Resolved*, that messrs. Evans and Devore be appointed a committee to procure three dozen chairs and six tables for the use of this house, all of which to be ready by the first day of November next.

Which was rejected.

The engrossed bill for the relief of debtors and creditors, was read a third time.

motion of mr. Rutter:

To recommit said bill to a committee of the whole house, for the purpose of amendment.

Was decided in the negative.

motion of mr. Rutter:

To amend said bill by adding to the sixth section the words, "Provided nothing herein contained shall be so construed as to prevent any creditor from redeeming such lands or tenements at any time after such sale."

P

Was also decided in the negative.

The said bill was then passed—Yeas 35, nays 7.

Those in the affirmative are,

messrs. Alcorn, Allen, Biggs, Ball, Boulware, Bates, Caldwell, Dougherty, Elston, Evans, English, Green, Harris, Heath, Hudspeth, Hall, Johnson, Lillard, Leduc, Monroe, Musick. Murphy, Parmer, Rogers, Relfe, Rubottom, Smiley, Smith, Stuart, Stevenson, Strother, Williams Waters, Ste, Young and Geyer speaker.

Those in the negative are,

messrs Graves, M'Girk, M'Farland, Rutter, Wright, Walton, and Waters, N. M.

Title 'an act', sent to the senate for concurrence.

Message from the senate by Mr. Perry:

MR. SPEAKER,

I am instructed to lay before the house of representatives, a copy of the Governor's message, received this day, to wit:

To the Senate and House of Representatives of Missouri,

I have approved and signed the following acts, to wit:

An act to amend and alter an act to regulate retailers of wines and spirituous liquors.

An act to enable husband and wife to convey real estate belonging to the wife.

An act to amend an act to provide for levying, assessing & collecting state and county taxes.

ALEXANDER M'NAIR,

St. Charles, June 23, 1821.

message from the senate by mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate do agree to the 2d and 3d amendments, and disagree to the 4th amendment, made by the house of representatives to the bill, entitled an act, reserving certain property from execution, which bill & amendts are herewith sent, and request the house of representa- s to recede from their 4th amendment.

essage from the senate by mr. Caldwell :

MR. SPEAKER,

I am instructed to inform the house of re- sentatives, that the senate do concur in passing the bill, itled an act, for the relief of Isaiah Todd, admr. & Nancy urphy, admx. of Isaac Murphy, deceased, and John Sap- ngton, which is herewith sent.

message from the senate by mr. Perry :

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have this day, passed the following resolution, to wit :

Resolved, by the senate and house of representatives of the State of Missouri, That the joint committee of enrollments be instructed to inform the Governor that both houses will be ready to close the present session by adjournment, sine die, at 4 o'clock, P. M. on Wednesday, the 27th instant. If his Excellency has no further communications to make,

And request the concurrence of the house of representatives, thereto.

On motion of mr. Rutter :

The house resolved itself into a committee of the whole, and took into consideration the bill, to abolish imprisonment for Debt. Mr. Smith in the chair, after some time spent therein, the committee rose, and reported the said bill without amendment.

On motion of mr. Parmer : it was

Ordered,

That the further consideration of said bill be postponed until the next session of this General Assembly.

mr. Leduc, from the joint committee of Enrollments, Reported, That they have this day presented to the Governor for his approval, an act entitled a Solemn Public Act, declaring the assent of this state to the fundamental condition, contained in a resolution, passed by the Congress of the U. States providing for the admission of the state of Missouri into the Union on a certain condition.

Also, a resolution to amend the constitution of the state of Missouri.

mr. Stevenson from the committee of Ways and Means, Reported, a bill making appropriations for the extra session of the General Assembly in the year 1821, which was read a first time.

Ordered,

That said bill pass to a second reading.

On motion of mr. Rutter:

The rule of the house was dispensed with, (two thirds of the members concurring,) and the said bill was read a second time, committed to a committee of the whole house, & made the order of the day for to-morrow.

motion of mr. Ball:

That the vote postponing until next session of this General Assembly, the bill to abolish imprisonment for Debt, be reconsidered.

Was decided in the negative.

The house adjourned to half past 7 o'clock, to-morrow morning.

Tuesday, June 26th, 1821.

mr. Parmer from the committee on Propositions and Grievances, Reported, a bill to reduce the county of Howard to its proper limits, which was read a first time.

On motion of mr. Green : It was

Ordered,

That the further consideration of said bill be postponed, until the next session of this General Assembly.

message from the senate by mr. Rector:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have postponed indefinitely the bill to prevent frauds.

message from the senate by mr. Caldwell:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have postponed until the next session of this General Assembly, the bill entitled an act, to authorize certain proceedings in Chancery against heirs whose names are unknown.

mr. M'Girk, from the committee on the Judiciary, Reported, a bill supplementary to an act, providing for the erection of a Court-House in the county of Ste. Genevieve, which was read a first time.

Ordered,

That said bill pass to a second reading.

On motion of mr. Green:

The rule of the house was dispensed with, (two thirds of the members concurring,) and the said bill was read a second time, committed to a committee of the whole house and made the order of the day for this day.

message from the senate by mr. Cummins:

MR. SPEAKER,

I am instructed to inform the house of Representatives, that the senate concur in passing the resolution requiring the Clerk of Howard County to furnish the assessors of Ray and Chariton counties, with a transcript of all the lands in the military bounty tract, that have been conveyed by the original patentee, which is herewith sent.

motion of mr. Parmer:

That the vote postponing until the next session of this general Assembly, the bill to abolish imprisonment for Debt, be reconsidered.

Was decided in the affirmative.

The question recurring on the postponement of said bill, until the next session of this General Assembly.

It was decided in the negative—and

Ordered,

That the committee of the whole have leave to sit again on said bill.

mr. Green pursuant to notice, asked and obtained leave to introduce a bill to regulate the sale of property under execution, which was read a first time, and rejected.

The bill entitled an act, concerning the Secretary of State, was read a second time.

motion of mr. Stuart:

To amend said bill by inserting after the word 'appointed' in the 7th line of the 1st section the words 'with the consent of the Governor.'

Which was agreed to.

motion of mr. Ball:

To amend said bill by striking out the whole of the 1st section after the enacting clause—and insert in lieu thereof the words "that in case of sickness or absence from the state, or impeachment of the Secretary of State, the Governor shall be, and he is authorized to appoint an acting Secretary of State to perform the duties of the office during such absence, sickness or the pendency of such impeachment."

Which was agreed to.

The said amendment was read a second time—and

Ordered,

To be engrossed for a third reading on to-morrow.

motion of mr. Green:

To amend said bill by adding the following, as a second section, to wit: "*Be it further enacted*, That the Governor and Attorney General, shall after the 1st day of November next, reside at the seat of government."

Was decided in the negative

YEAS 18. NAYS 24.

Those in the affirmative are,

messrs. Alcorn Elston English Green Harris Heath Hudspeth Johnson Farmer Relfe Rutter Smiley Smith Stuart Stevenson Williams Wright and Geyer, speaker.

Those in the negative, are

messrs. Allen Biggs Ball Boulware Bates Caldwell Dougherty Evans Graves Hall Lillard Leduc Monroe Musick Murphy M'Girk M'Farland Rogers Rubottom Strother Walton Waters, st. g. Waters, n. m. and Young.

The resolutions relative to an emission of Treasury notes, to be receivable in payment for Public Lands, was read a second time.

On motion of mr. Bates: It was

Ordered,

That the said resolutions be postponed until the next session of the general Assembly.

The engrossed bill to regulate proceedings on Penal Bonds, was read a third time and passed, title "an act" sent to the senate for concurrence.

The disagreement of the senate to the 4th amendment made by this House to the bill entitled an act, reserving certain property, from execution, was taken into consideration.

On motion of mr. Ball: it was

Decided, that this house do recede from their said fourth amendment to said bill.

Ordered,

That the senate be informed thereof.

Message from the senate by Mr. Rector:

MR. SPEAKER,

I am instructed to inform the house of Representatives that the senate do concur in passing the bill entitled an act to amend certain acts respecting the proceedings in Chancery and suits at law, with an amendment, which is herewith sent for the concurrence of the house of representatives.

The said amendment was agreed to.

Ordered,

That the senate be informed thereof.

The resolution relative to adjournment was read a first time.

Ordered,

That said resolution pass to a second reading.

Mr. Leduc, from the joint committee of enrollments, reported that they had examined and found truly enrolled, "A resolution requiring the Governor to transmit duplicate certified copies of the solemn public act declering the assent of this state to the fundamental condition contained in a resolution passed by the congress of the United States providing for the admission of the state of Missouri into the union on a certain condition, to the President of the United States, and to each of our Senators and Representatives in congress"—Also,

'A memorial to congress respecting the Lead mines.' And

An act for the relief of Isaiah Todd, admr. and Nancy Murphy admx. of Isaac Murphy, deceased, and John Sappington.

Mr Speaker signed said Resolution, Memorial and Act, and they were sent to the senate for the signature of the President.

Mr. Leduc asked and obtained leave of absence for two days.

On motion of mr. M'Girk:

The House resolved itself into a committee of the whole, & took into consideration,

1st, a bill to abolish imprisonment for debt,

2d, a resolution for defining the southern boundary of this state.

And 3d, a bill supplementary to an act to provide for the location of the permanent seat of government for the state of Missouri. Mr. Rogers in the chair, after some time spent therein, the committee rose, and reported the bill to abolish imprisonment for debt, with sundry amendments, which were agreed to.

On motion of mr. Evans, it was

Ordered,

That the said bill be engrossed for a third reading on today.

The committee of the whole reported the resolution for defining the southern boundary of this state, without amendment,

On motion of mr. Green, it was

Ordered,

That the said resolution be read a third time to-day.

The committee of the whole also reported that they had made some progress in the bill supplementary to an act to provide for the location of the permanent seat of government, for the state of Missouri, and asked leave to sit again. Which was granted.

On motion of mr. Lillard:

The rule of the house was dispensed with, (two thirds of the members concurring,) and he asked and obtained leave to introduce a bill for the relief of certain justices of the peace, which was read a first time.

Ordered,

That said bill pass to a second reading.

On motion of mr. Ball:

The rule of the house was again dispensed with, (two thirds of the members concurring,) and the said bill was read a second time.

Ordered,

That said bill be engrossed for a third reading on to-morrow.

message from the senate by mr. Barcroft:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate concur in passing the following bills, to wit; a bill entitled, an act for the relief of Debtors & Creditors, and a bill entitled, an act to regulate proceedings on Penal Bonds, which are herewith sent.

mr. Bates from the joint committee of enrollments, Reported, That they had examined and found truly enrolled, an act for the establishment of loan offices, and an act to reduce the compensation of the members of the General Assembly.

mr. speaker signed the said acts, and they are sent to the senate for the signature of the President.

On motion of mr. Green:

The house resolved itself into a committee of the whole, and took into consideration:

First.—A bill supplementary to an act, to provide for the location of the permanent seat of government of the state of Missouri.

Second.—A resolution relative to the selection of Land, whereon to locate the permanent seat of government.

Third.—A bill to amend the charter of the bank of Missouri—AND

Fourth.—A bill making appropriations for the extra session of the general Assembly, in the year 1821.

mr. Parmer in the chair,

After some time spent therein, the committee rose, and reported the bill supplementary to an act, to provide for the location of the permanent seat of government for the state of Missouri, with sundry amendments which were agreed to.

On motion of mr. M‘Girk: it was

Ordered,

That the said bill be engrossed for a third reading on to-morrow.

The committee of the whole reported, the resolution relative to the selection of Land whereon to locate the permanent seat of government, with an amendment, which was agreed to.

On motion of mr. M‘Girk: It was

Ordered,

That the said resolution be engrossed for a third reading on to-morrow.

The committee of the whole, Reported, that they recommend to strike out the first section of the bill to amend the charter of the Bank of Missouri, with the enacting clause—which was also agreed to.

The committee of the whole, Reported, that they had made some progress in the bill making appropriations for the extra session of the General Assembly, in the year 1821, and asked leave to sit again which was refused.

On motion of mr. Bates: It was

Ordered,

That the said bill be engrossed for a third reading on to-morrow.

mr. Bates from the joint committee of Enrollments, Reported, That they had this day, presented to the governor, for his approval, an act for the relief of Isaiah Todd, admr. & Nancy Murphy, admx. of Isaac Murphy, deceased, and John Sappington.

A memorial to Congress respecting the Lead Mines—and,

A resolution requiring the Governor to transmit duplicate certified copies of the Solemn Public Act, declaring the assent of this state to the fundamental condition contained in a resolution passed by the Congress of the United States, providing for the admission of the state of Missouri, into the Union on a certain condition, to the President of the United States, and to each of our Senators and Representatives in Congress.

motion of mr. Stuart:

That so much of the standing rule of this house, as require one days notice to be given, of intention to ask leave to introduce a bill, be dispensed with,

Was decided in the negative.

On motion of mr. Caldwell: it was

Ordered,

That the committee of the whole house, be discharged from any further consideration of the bill supplementary to an act, to provide for the erection of a court house in the county of St. Genevieve—and

On further motion of mr. Caldwell: It was

Ordered,

That the said bill be engrossed for a third reading on to-morrow.

The resolution for defining the southern boundary of this state, was read a third time, and passed.

Ordered,

That the senate be informed thereof.

The house adjourned to half past 7 o'clock to-morrow morning.

* * *

Wednesday, June 27th, 1821.

Mr. Lillard, from the committee on propositions and grievances, to whom was referred the petition of Anthony C. Parmer, reported a bill for the relief of certain sheriffs, and for other purposes, which was read a first and second time; the rule of the house having been dispensed with—(two thirds of the members concurring.)

Ordered,

That the said bill be engrossed for a third reading on today.

mr. Biggs, from the joint committee of enrollments, reported that they had examined and found truly enrolled,

'An act reserving certain property from execution.'

mr. Speaker signed the said act, and it was sent to the senate for the signature of the president.

The resolution relative to adjournment was read a second time and rejected.

Ordered,

That the senate be informed thereof.

The engrossed amendment to the bill from the senate entitled 'an act concerning the secretary of state' was read a third time and agreed to.

motion of mr. Green,

Further to amend said bill, by adding the following as a second section, to wit:

"*Be it further enacted*, That from and after the 1st Monday of November next, it shall be the duty of the Attorney General to reside at the seat of government."

motion of mr. Stuart:

To amend said amendment by inserting before the word 'attorney,' the words 'governor and.'

Was decided in the negative.

The main amendment was agreed.—Yeas 23, nays 15.

Those in the affirmative are,

messrs. Alcorn, Biggs, Devore, Elston, Evans, English, Graves, Green, Harris, Heath, Hudspeth, Hall, Johnson, Parmer, Relfe, Rutter, Rubottom, Smiley, Stuart, Stevenson, Williams, Wright, and Geyer speaker.

Those in the negative are,

messrs Allen, Ball, Bates, Caldwell, Dougherty, Lillard, Monroe, Musick, Murphy, M'Girk, M'Farland, Smith, Waters, Ste. G. Waters, N. M. and Young.

motion of mr. Bates,

That the further consideration of said bill be postponed, until the next session of this General Assembly.

Was decided in the negative

The said bill as amended was then passed.

Ordered,

That the senate be informed thereof.

The engrossed bill supplementary to an act to provide for the location of the permanent seat of government for the state of Missouri, was read a third time.

On motion of mr. Heath, it was

Ordered,

That the blanks in the 2d and 3d lines of the 1st section be filled with the names of "Daniel Morgan Boone," and "Gasconade."

The said bill was then passed, title 'an act.' Sent to the senate for concurrence.

On motion of mr. Ball, it was

Ordered,

That the further orders of the day be postponed.

mr. Alcorn submitted the following resolution, to wit:

"*Resolved*, That the senate be requested to meet this house in the Representative Hall, at 4 o'clock, P. M. of this day, for the purpose of electing commissioners of the Loan Offices.

On motion of mr. Evans, it was

Ordered,

That the said resolution be laid on the table.

The engrossed resolution relative to the selection of land whereon to locate the permanent seat of government, was read a thrid time and passed.

Sent to the senate for concurrence.

The engrossed bill supplementary to an act providing for the erection of a Court House in the county of Ste. Genevieve, was read a third time.

motion of mr. M'Girk,

To amend said bill by inserting before the word "Sheriff," in the 5th line of the 1st section, the word "late." Was agreed to.

The said bill as amended was then passed, title 'an act.'

Sent to the senate for concurrence.

The engrossed bill for the relief of certain justices of the peace, was read a third time and passed, title 'an act.'

Sent to the senate for concurrence.

The engrossed bill making appropriations for the extra session of the General Assembly, in the year 1821, was read a third time.

The blank in the 11th line of the 1st section was filled with $ 8,000.

The blank in the 14th line of the 1st section was filled with $ 800.

The blank in the 15th line of the 1st section was filled with $ 105.

The blank in the 22d line of the 1st section was filled with $ 25.

motion of mr. Devore,

To amend said bill by adding to the 1st section the following, to wit:

"To Peck and Shepherd for sundry work done for the use of the General Assembly, $ 20 50—to Benjamin Emmons for his bill, $ 12 00—to the auditor of public accounts and treasurer, each, for extra duties to be rendered under the law establishing Loan Offices, $ 150 00."

motion of mr. Young,

To amend said amendment by striking out '$ 150 00,' in the last line and inserting '$200 00.'

Was decided in the negative.

The main amendment was then agreed to, and

The said bill as amended was passed, title 'an act.'

Sent to the senate for concurrence.

On motion of mr. Smith,

The House resolved itself into a committee of the whole, & took into consideration a bill to establish Medical Societies, and to regulate the practice of Medicine and Surgery in this state. mr. Strother in the chair, after some time spent therein, the committee rose and reported that they recommended the postponement of the said bill until the next session of this General Assembly.

Which was agreed to.

mr. Bates, from the joint committee of enrollments, reported that they had this day presented to the Governor for his approval

An act establishing Loan Offices.

An act reducing the compensation of the members of the General Assembly, and

An act reserving certain property from execution.

message from the Governor by mr. Pettus:

To the Senate and House of Representatives,
of Missouri.

I have approved and signed the following acts, to wit:

An act for the relief of Isaiah Todd, admr. & Nancy Murphy, admx. of Isaac Murphy, deceased, and John Sappington.

An act for the establishment of Loan Offices.

An act entitled 'a solemn public act declaring the assent of this state to the fundamental condition contained in a resolution passed by the congress of the U. States providing for the admission of the state of Missouri into the Union on a certain condition, and

A resolution requiring the Governor to transmit duplicate certified copies of the solemn public act, &c. to the President of the United States, and to each of our Senators and Representatives in congress.

ALEXANDER M'NAIR.

St. Charles, 27th, June 1821.

On motion of mr. Alcorn,

The resolution relative to the election of commissioners of the Loan offices, was taken up, read, and agreed to.

Ordered,

That the senate be informed thereof.

The engrossed bill to abolish imprisonment for Debt, was read a third time.

motion of mr. Stuart:

That the said bill be postponed until the next session of this general Assembly.

Was decided in the negative—and

The said bill was passed, title "an act further to regulate Judicial proceedings, and to abolish imprisonment for Debt, in certain cases. Sent to the senate for concurrence.

Message from the senate by Mr. Barcroft:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate will meet the house in the representative hall, at 4 o'clock, P. M. this day for the purpose of electing Commissioners of the Loan Offices.

message from the senate by mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate do concur in passing the resolution relative to the selection of Land, whereon to locate the permanent seat of government, which is herewith sent.

message from the senate by mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate do agree to the amendment, made by the house of representatives, to the bill entitled an act, concerning the Secretary of State.

mr. Devore from the joint committee of enrollments, Reported, that they had examined and found truly enrolled, an act, to amend certain acts respecting the proceedings in Chancery, and suits at law.

An act to regulate proceedings on Penal Bonds—and

A resolution for defining the southern boundary of this state.

mr. Speaker signed the said acts and resolution, and they were sent to the senate for the signature of the President.

mr. Bates from the joint committee of enrollments, Reported, that they have this day, presented to the Governor for his approval, an act to amend certain acts respecting the proceedings in Chancery and suits at law.

An act to regulate proceedings on Penal Bonds—and

A resolution for defining the Southern Boundary of this state.

In pursuance of the arrangements between the two houses, he senate assembled in the representative hall, for the purpose of electing commissioners of the several Loan Offices.

On motion of mr. Green: it was

Resolved, That the two houses, proceed to said election, commencing with the 1st District, and on in regular succession to the fifth, and that a majority of the members of both houses, will be required to elect.

Thomas Conway, William Pearce, James Semple, George Jackson and James Hickman, being nominated for the first District—the votes were:

For Thomas Conway,

messrs. Bird Barcroft Cooper Clark Cummins Caldwell Emmons Moore Perry Pratte Rector and Talbott, senate and messrs. Alcorn Allen Biggs Ball Boulware Bates Caldwell Devore Dougherty Elston Evans English Graves Green Harris Heath Hall Hudspeth Johnson Lillard Monroe Musick M'Girk, M'Farland Parmer Rogers Relf Rutter Rubottom Smiley Smith Stuart Stevenson Strother Williams Wright Walton Waters, Ste. G. Waters N. M. Young and Geyer, Speaker. H. R. 54.

For William Pearce,

messrs. Byrd Barcroft Cooper Clark Cummins Caldwell Emmons Moore Perry Pratte Rector and Talbot, Senate—& messrs. Alcorn Allen Biggs Ball Boulware Bates Caldwell Devore Dougherty Elston Evans English Graves Green Harris Heath Hudspeth Hall Johnson Lillard Monroe Musick Murphy M'Farland Parmer Rogers Relfe Rutter Rubottom Smiley Smith Stuart Stevenson Strother Wright Walton Williams Waters, Ste. G. and Waters, N. M. Young & Geyer Speaker, H. R. 53.

For James Semple.

messrs. Byrd Cooper Clark Cummins Caldwell Emmons Perry Pratte and Rector, Senate—and messrs. Alcorn Allen Biggs Ball Boulware Bates Caldwell Devore Dougherty Evans English Graves Green Heath Hudspeth Hall Johnson Lillard Musick M'Farland Parmer Rogers Relfe Rutter Rubottom Smith Stuart Stevenson Strother Williams Wright Waters, N. M. and Young. H. R. 42.

For George Jackson.

messrs. Barcroft Moore and Talbot, Senate. And

messrs. Elston Harris Monroe Murphy M'Girk Smiley Walton Waters, ST. G. and Geyer speaker, H. R. 12.

For James Hickman.

mr. M'Girk. H. R. 1.

mr. Logan of the Senate, absent sick, and mr. Leduc, H. R. absent with leave.

Thomas Conway, William Pearce and James Semple, were declared duly elected.

Augustin Langdon, William D. Wilson, Archibald Kavenough, Robert Wallace and Peyton R. Hayden, being nominated for the second district, the votes were:

For Augustin Langdon.

messrs. Byrd Barcroft Cummins Caldwell Emmons and Pratte, Senate. And

messrs. Alcorn Allen Biggs Ball Boulware Bates Caldwell Devore Dougherty Elston Evans English Green Harris Heath Hudspeth Hall Johnson Lillard Murphy M'Farland Parmer Rogers Relfe Rubottom Smith Smiley Stuart Stevenson Strother Williams Wright Walton Waters, ST. G. Waters, N. M. Young and Geyer, speaker, H. R. 43.

For William D. Wilson.

messrs. Barcroft Cooper Clark Cummins Caldwell Emmons Moore Perry Pratte Rector and Talbot, Senate, and messrs. Allen Biggs Ball Boulware Caldwell Devore Dougherty Elston Evans English Graves Green Hudspeth Hall Heath Johnson Lillard Monroe Musick Murphy M'Farland Parmer Rogers Relfe Rubottom Smiley Smith Stuart Stevenson Strother Williams Wright Walton Waters, Ste. G. Waters, N. M. Young and Geyer, speaker. H. R. 49.

For Archibald Kavenaugh.

messrs. Byrd Barcroft Cooper Cummins Clark Caldwell Emmons Moore Perry Rector and Talbot, Senate, and messrs. Alcorn Allen Biggs Ball Boulware Bates Caldwell Devore Dougherty Elston Evans English Graves Green Harris Heath Hudspeth Hall Johnson Monroe Musick Murphy M'Girk M'Farland Parmer Rogers Relfe Rutter Rubottom Smiley Smith Stuart Stevenson Strother Williams Wright Waters, Ste. G. Waters, N. M, and Young, H. R. 50.

For Robert Wallace.

messrs. Byrd Cooper Clark Moore Perry Pratte Rector and Talbot, senate, and messrs. Bates Graves Harris Lillard Monroe Musick M'Girk Rutter Walton and Geyer, speaker, H. R. 18.

For Peyton R. Haydon.

messrs. M'Girk and Rutter, H. R. 2.

Augustin Langdon, William D. Wilson, and Archibald
Absent as before.
Kavenaugh, were declared duly elected.

Seth Millington Nathaniel Simonds Jesse Morrison George Collier, John Jacoby and Samuel Wells, being nominated for the third district, the votes were,

For Seth Millington.

messrs. Barcroft Cooper Clark Cummins Emmons and Rector, senate, and messrs. Alcorn Allen Ball Boulware Dougherty Elston Evans Harris Heath Hall Musick M'Farland Parmer Relfe Smith Stevenson Strother Williams Wright Waters, Ste. G. Waters N. M. and Young, H. R. 28.

For Nathaniel Simonds.

messrs. Byrd Barcroft Cooper Clark Caldwell Emmons Moore Perry and Pratte, senate, and messrs. Alcorn Allen Biggs Ball Boulware Bates Devore Dougherty Elston Evans English Graves Harris Heath Hudspeth Hall Johnson Lillard Monroe Murphy M'Farland Parmer Rogers Relfe Rutter Rubottom Smiley Smith Stuart Stevenson Strother Williams Wright Walton Waters Ste. G. Waters, N. M. and Geyer, speaker. H. R. 46.

For Jesse Morrison.

messrs. Barcroft Cooper Cummins Moore Rector and Talbot, senate, and messrs. Alcorn Boulware Bates Caldwell Dougherty Elston English Graves Green Heath Hall Monroe Musick M'Girk M'Farland Parmer Rogers Rutter Rubottom Smiley Smith Strother Williams Walton Waters, Ste. G. Waters, N. M. and Young, H. R. 33.

For George Collier.

messrs. Cummins Emmons Perry Pratte Rector and Talbot, senate, and messrs. Evans, M'Girk Stuart Stevenson and Geyer, speaker, H. R. 11.

For John Jacoby.

messrs. Byrd Clark Caldwell and Pratte, senate, & messrs. Biggs Bates Caldwell Devore Graves Green Hudspeth Johnson Lillard Musick Murphy Rubottom and Walton H. R. 17.

For Samuel Wells.

messrs. Byrd Moore and Talbot, senate, and messrs. Allen Biggs Ball Caldwell Devore English Green Harris Hudspeth Johnson Lillard Monroe Murphy M'Girk Rogers Rutter Smiley Stuart Wright Young and Geyer, speaker, H. R. 24.

For ******* Peck.

messrs. Caldmell and Perry, senate, and mr. Rogers, H. R. 3.

Absent as before.

Seth Millington, Nathaniel Simonds and Jesse Morrisson, were declared duly elected.

Bernard G. Farrar, Pierre Chouteau, senr. John T. Nash and Wilson P. Hunt being nominated for the fourth district, the votes were,

For Bernard G. Farrar.

messrs. Byrd, Barcroft Cooper Clark Cummins Caldwell Emmons Moore Rector and Talbott. Senate, And

messrs. Alcorn Allen Biggs Bates Boulware Caldwell Dougherty Elston Evans English Graves Green Harris Heath

Hudspeth Hall Johnson Lillard Monroe Musick Murphy M'Girk M'Farland Parmer Rogers Relfe Rutter Rubottom Smiley. Smith Stevenson Strother Williams Wright Walton Waters st. g. Waters N. M. Young, and Geyer, speaker. H. R. 39:

For Pierre Chouteau, senr.

messrs. Byrd Barcroft Clark Cummins Caldwell Emmons Moore Perry Pratte and Rector. Senate, And

messrs. Alcorn, Allen Biggs Ball Boulware Caldwell Devore Dougherty Elston Evans English Graves Green Johnson Lillard Monroe Musick Murphy M'Farland Parmer Rogers Relfe, Rubottom Smiley Stuart Williams Walton & Waters, st. g. h. r. 39.

For John T. Nash.

messrs. Cooper Clark Cummins Caldwell Emmons Perry Pratte Rector Talbot. Senate, And

messrs. Alcorn Allen Biggs Ball Boulware Bates Caldwell Devore Dougherty Elston Evans Green Harris Heath Hudspeth Hall Johnson Lillard Monroe Musick M'Girk M'Farland Parmer Relfe Rutter Rubottom Stuart Stevenson Strother Williams Wright Waters, st. g. and Waters, n. m. Young and Geyer, speaker. H. R. 44.

For Wilson P. Hunt.

messrs. Byrd Barcroft Cooper Moore Perry Pratte and Talbott. Senate, And

messrs. Ball Bates Devore English Graves Harris Heath Hudspeth Hall Murphy M'Girk Rogers Rutter Smiley Smith Stuart Stevenson Strother Wright Walton Waters, n. m. Young and Geyer, speaker. H. R. 30.

Absent as before;

Bernard G. Farrar, Pierre Chouteau, senr. and John T. Nash—were declared duly elected.

James Evans, James Ravenscroft, Robert Green, Joseph Frizzle and James Russel, being nominated for the 5th District—the votes were,

For James Evans.

messrs. Barcroft Cooper Clark, Cummins Caldwell Emmons Perry Rector and Talbot, Senate. And messrs. Alcorn Allen Biggs Ball Boulware Bates Caldwell Devore Dougherty Elston Evans Green Harris Heath Hudspeth Hall Johnson Lillard Musick Murphy M'Girk M'Farland Parmer Rogers Relfe Rubottom Smiley Smith Stuart Strother Williams Wright Walton Waters, ST. G. Waters, N. M. Young and Geyer, speaker. H. R. 47.

For James Ravenscroft.

messrs. Barcroft Cooper Clark Cummins Caldwell Emmons Moore Perry and Rector, Senate. And

messrs. Alcorn Allen Biggs Ball Boulware Bates Caldwell Devore Dougherty Elston Evans Graves Green Harris Heath Hudspeth Hall Johnson Lillard Monroe Musick Murphy M'Girk M'Farland Parmer Rogers Relfe Rubottom Smiley Smith Stuart Stevenson Strother Williams Wright Walton Waters, ST. G. Waters, N. M. Young and Geyer, speaker H. R. 49.

For Robert Green.

messrs. Byrd Barcroft Cooper Clark Cummins Caldwell Emmons Moore Perry Pratte Rector and Talbot. Senate, And

messrs. Alcorn Allen Biggs Ball Boulware Bates Caldwell Devore Dougherty Elston Evans English Graves Green Harris Heath Hudspeth Hall Johnson Lillard Monroe Musick Murphy M'Farland Parmer Rogers Relfe Rutter Rubottom Smiley Smith Stuart Strother Williams Wright Walton Waters, ST. G. Waters, N. M. Young & Geyer, speaker, H. R. 52.

For Joseph Frizzle.

messrs. Byrd Moore Pratte and Talbott. Senate, And
messrs. English M'Girk Rutter & Stevenson. H. R. 8.

For James Russell.

messrs. Byrd and Pratte. Senate, And
messrs. English Monroe Rutter and Stevenson. H. R. 6.

Absent as before.

James Evans, James Ravenscroft and Robert Green, were duly elected.

The joint business of the two houses being concluded, the Senate withdrew. And

The house adjourned to 9 o'clock, to-morrow morning.

Thursday, June 28th, 1821.

mr. Biggs from the joint committee of Enrollments, Reported, That they had examined and found truly enrolled, an act concerning the Secretary of state & attorney general, also, a resolution relative to the selection of land, whereon to locate the permanent seat of government.

mr. speaker signed the said act and resolution and they were sent to the senate for the signature of the President.

message from the senate by mr. Cummins:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate do concur in passing the bill entitled an act, supplementary to an act, to provide for the location of the permanent seat of government for the state of Missouri, which is herewith sent.

message from the senate by mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the Senate do concur in passing the bill entitled, an act, for the relief of Justices of the Peace, which is herewith sent.

message from the senate by mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate do concur in passing the bill, entitled an act making appropriations for the extra session of the general Assembly, in the year 1821, with amendments, which are herewith sent for the concurrence of the house of representatives.

message from the senate by mr. Perry:

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate concur in passing the bill entitled "an act supplementary to an act providing for the erection of a court house in the county of Ste. Genevieve," with amendments, which are herewith sent for the concurrence of the house of representatives.

message from the senate by mr. Emmons:

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate concur in passing the bill entitled "an act for the relief of sheriffs, and for other purposes," with an amendment, which is herewith sent for the concurrence of the house of representatives.

mr. Heath from the committee on the Judiciary to whom was referred the representation from the judges of the supreme court, relative to defects in the laws, reported, that they are of opinion it is inexpedient to legislate upon that subject at the present session.

On motion of mr. Heath, it was

Ordered,

That the consideration of the said report be postponed until the next session of this general assembly.

mr. Bates asked and obtained leave to introduce a joint resolution relative to the election of the commissioners of the several Loan Offices, which was read a first, second, and third time, and passed, the rule of the house having been previously dispensed with, (two thirds of the members concurring.)

Sent to the senate for concurrence.

The amendments made by the senate to the bill entitled an act making appropriations for the extra session of the general assembly, in the year 1821, were taken up and read.

motion of mr. Bates:

To amend said amendment by adding thereto the words, "To Rubuff Peck the sum of fifty dollars for the rent of the two rooms for the use of the general assembly," which was rejected, yeas 6, nays 27.

Those in the affirmative are,

messrs. Bates Hall Farmer Relfe Walton and Waters, N. M.

Those in the negative are,

messrs. Alcorn Allen Biggs Ball Caldwell Dougherty Elston English Graves Green Harris Hudspeth Johnson Lillard Monroe Musick Murphy M'Farland Rogers Rutter Smiley

Stuart Stevenson Strother Williams Wright & Geyer speaker,

messrs. Evans, Heath and Smith were excused from voting,

The said amendments of the senate were agreed to.

Ordered, that the senate be informed thereof.

The amendment made by the senate to the bill entitled an act for the relief of Sheriffs, and for other purposes, was taken up, read, and agreed to.

Ordered, That the senate be informed thereof.

The amendment made by the senate to the bill entitled an act providing for the erection of a court house in the county of St. Genevieve, were taken up, read and agreed to.

Ordered, That the senate be informed thereof.

mr. Biggs, from the joint committee of enrollments, Reported that they had examined and found truly enrolled 'an act for the relief of debtors and creditors.'

mr. Speaker signed the said act, and it was sent to the senate for the signature of the President.

message from the senate by mr. Emmons:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate concur in passing the bill entitled an act further to regulate Judicial proceedings, and to abolish imprisonment for debt in certain cases, which is herewith sent.

mr. M'Girk submitted the following resolution, to wit;

Resolved by the Senate and House of Representatives, That the joint committee of enrollments be instructed to inform the Governor, (when they present to him the last enrolled bills passed at this present session) that both houses of the general assembly have finished the business before them, and are ready to close the present session by adjournment, sine die, if has no further communications to make.

Which was agreed to and sent to the senate for concurrence.

message from the senate by mr. Emmons;

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate concur in passing the resolution relative to the election of the commissioners of the Loan Offices, which is herewith sent.

message from the senate by mr. Moore:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate do concur in passing the resolution relative to the adjournment of the present session of the general Assembly.

mr. Rutter submitted the following resolution, to wit:

Resolved, by the Senate and House of Representatives, That the secretary of state take charge of the records, stationary & furniture, belonging to the state for the use of the general Assembly, and the same safely keep until their next session—Which was agreed to, and sent to the senate for concurrence.

mr. Biggs from the joint committee of Enrollments, Reported, that they had this day, presented to the Governor for his approval:

An Act for the relief of Debtors and Creditors.

An act concerning the Secretary of State and Attorney General—also,

A resolution relative to the selection of Lands whereon to locate the permanent seat of government.

message from the senate, by mr. Emmons:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate concur in passing the resolution, requiring the secretary of state to take charge of the records, &c. of the state for the use of the general Assembly until their next session.

mr. Biggs from the joint committee of enrollments, Reported, that they had examined and found truly enrolled, an act supplementary to an act, providing for the erection of a court-house in the county of Ste. Genevieve—and, a resolution requiring the clerk of the Circuit Court of Howard county to furnish the assessors of Ray and Chariton counties with a transcript of all the lands in the military bounty tract, that have been conveyed by the original patentee.

mr. speaker signed the said act and resolution, & they were sent to the senate for the signature of the President.

mr. m'Girk asked and obtained leave of absence for mr. Murphy during the remainder of this present session.

mr. Devore asked and obtained leave of absence for messrs, Relfe and Strother, during the remainder of this present session.

mr. Biggs from the joint committee of enrollments, Reported, that they had examined and found truly enrolled, an act supplementary to an act to provide for the location of the permanent seat of government for the state of Missouri, an act for the relief of Justices of the Peace, an act making appropriations for the extra session of the general assembly in the year 1821, and a resolution relative to the election of commissioners of the Loan Offices.

mr. speaker signed the said acts and resolution, and they were sent to the senate for the signature of the President.

mr. Biggs from the joint committee of enrollments, Reported, that they had this day, presented to the governor for his approval, an act, supplementary to an act, providing for the erection of a court house in the county of st. Genevieve.

A resolution requiring the clerk of the Circuit court of Howard county to furnish the assessors of Ray and Chariton counties with a transcript of all the lands in the military bounty tract, that have been conveyed by the original patentee—an act supplementary to an act, to provide for the location of the permanent seat of government for the state of Missouri.

A resolution relative to the election of commissioners of the Loan Offices.

An act for the relief of Justices of the Peace—and,

An act making appropriations for the extra session of the general assembly in the year 1821.

message from the senate by mr. Emmons:

MR. SPEAKER,

I am instructed to inform the house of representatives, that the senate have adopted the following resolution, to wit:

" *Resolved, by the Senate and House of Representatives*, That if any vacancy shall happen, by reason of death, removal, resignation or refusal to act, in any of the commissioners appointed to locate the permanent seat of government, that the governor shall appoint some suitable person to fill such vacancy in that part of the country where the vacancy shall happen"—and request the concurrence of the house of representatives thereto, the said resolution was read a first time.

On motion of mr. Green :

The rule of the house was dispensed with, (two thirds of the members concurring,) and the said resolution was read a second time.

motion of mr. Devore :

That the further consideration of said resolution be postponed until the next session of this general assembly.

It was decided in the negative,

YEAS 16. NAYS 16.

Those in the affirmative are,

messrs. Alcorn Biggs Ball Bates Devore Dougherty English Graves Hudspeth Hall Johnson Rutter Rubottom Stevenson Walton and Geyer, speaker.

Those in the negative are,

messrs. Allen Elston Green Harris Heath Lillard Monroe Musick M'Girk M'Farland Parmer Rogers Smiley Williams Wright and Young.

On motion of mr. Devore : it was

Ordered,

That the said resolution be indefinitely postponed.

Ordered,

That the senate be informed thereof.

mr. Bates from the joint committee of enrollments, Reported, that they had examined and found truly enrolled, an act, for the relief of Sheriffs and for other purposes—and an act further to regulate Judicial proceedings and to abolish imprisonment for debt in certain cases.

mr. speaker signed the said acts, and they were sent to the senate for the signature of the President.

mr. Bates from the joint committee of enrollments, Reported, that they had this day, presented to the governor for his approval :

An act for the relief of Sheriffs and for other purposes—&

An act further to regulate Judicial proceedings, and to abolish imprisonment for Debt in certain cases.

message from the governor, by mr. Pettus:

**To the Senate, and House
of Representatives of Missouri,**

I have approved and signed the following acts, to wit:

An act for the relief of Debtors and Creditors.

An act to amend certain acts respecting proceedings in Chancery and suits at law.

A resolution relative to the selection of land whereon to locate the permanent seat of government.

An act to regulate proceedings on Penal Bonds.

An act for the relief of Justices of the Peace.

A resolution relative to the election of commissioners of the Loan Offices.

An act making appropriations for the extra session of the general assembly in the year 1821.

A resolution requiring the clerk of the circuit court of Howard county to furnish the assessors of Ray and Chariton counties with a transcript of all lands in the military bounty tract, that have been conveyed by the original patentee.

An act supplementary to an act, to provide for the erection of a court-house in the county of St. Genevieve.

An act supplementary to an act, to provide for the location of the permanent seat of government for the state of Missouri.

An act for the relief of Sheriffs, and for other purposes, and

An act further to regulate Judicial proceedings, and to abolish imprisonment for Debt, in certain cases.

ALEXANDER M'NAIR,

St. Charles, 28th June 1821.

On motion of mr. M'Girk:

The rule of the house was dispensed with, (two thirds of the members concurring,) and he asked and obtained leave to introduce a bill, to supply the vacancy occasioned by the death, (as is said) of John Thornton one of the commissioners appointed to fix the permanent seat of government—which was read a first time.

Ordered,

That the said bill pass to a second reading.

motion of mr. Green:

That the rule of the house be dispensed with, and the said bill be read a second time this day.

Was decided in the negative.

motion of mr. Green:

That the house do, now adjourn to 8 o'clock to-morrow morning.

Was decided affirmatively,

YEAS 20. NAYS 14.

Those in the affirmative, are

messrs. Alcorn Allen Elston Green Harris Heath Johnson Lillard Monroe Mysick m'Girk M'Farland Parmer Rogers Rutter Smiley Stevenson Williams Young and Geyer, speaker

Those in the negative, are

messrs. Biggs Ball Bates Devore Dougherty Evans English Graves Hudspeth Hall Rubottom Smith Walton and, Waters, N. M.

Absent with leave.—messrs. Leduc Murphy Relfe & Strother.

Absent without leave.—messrs. Boulware Caldwell Stuart Wright and Waters, sr. G.

* * *

Friday, June 29th, 1821.

The bill to supply the vacancy occasioned by the death, (as is said) of John Thornton, one of the commissioners appointed to fix the permanent seat of government—was read a second time.

motion of mr. Rutter:

To amend said bill, by adding thereto the following proviso, to wit:

" *Provided however*, That should the representation of the death of John Thornton be incorrect, this act shall be void."

Which was agreed to.

On motion of mr. Heath: it was

Ordered,

That the said bill be engrossed for a third reading.

On motion of mr. Green:

The rule of the house was dispensed with, (two thirds of the members concurring), and the said bill was read a third time.

On motion of mr. Green: it was

Ordered,

That the blanks in said bill, be filled with the names of "John Shields" and "Ray."——The same bill as amended was then passed, title "an act," sent to the senate for concurrence.

mr. Graves asked and obtained leave of absence for Mr. Bates during the remainder of the present session.

message from the senate by mr. Moore:

MR. SPEAKER,

I am instructed to lay before the house of representatives a copy of the Governor's message of the 28th inst. to wit:

To the Senate and House of Representatives, of Missouri,

I have approved and signed the following acts, to wit:

An act reserving certain property from execution.

A memorial to congress respecting the Lead Mines.

A resolution proposing sundry amendments to the constitution of the state of Missouri.

A. M'Nair.

St. Charles, June 27, 1821.

message from the senate by mr. Moore:

MR. SPEAKER,

I am instructed to inform the house of representatives that the senate concur in passing the bill entitled an act to supply the vacancy occasioned by the death (as is said) of John Thornton one of the commissioners appointed to fix the permanent seat of government, which is herewith sent.

mr. Biggs, from the joint committee of enrollments; Reported that they had examined and found truly enrolled, an act to supply the vacancy occasioned by the death (as is said) of John Thornton, one of the commissioners appointed to the permanent seat of government.

mr. Speaker signed the said act and it was sent to the senate for the signature of the President.

mr. Biggs from the joint committee of enrollments, Reported that they had this day presented to the Governor for his approval an act to supply the vacancy occasioned by the death (as is said) of John Thornton, one of the commissioners appointed to fix the permanent seat of government.

message from the governor by Robbins,

To the Senate and House of Representatives, of Missouri.

I have approved and signed an act to supply the vacancy occasioned by the death (as is said) of John Thornton, one of the commissioners appointed to fix the permanent seat of government.

A M'Nair.

St. Charles, June 29th, 1821,

On motion of mr. Young, it was

Resolved unanimously, That the thanks of this house be conferred on the Speaker for the able and impartial manner in which he has discharged the duties of the chair.

On motion of mr. Ball, it was

Resolved unanimously, That the thanks of this house are due to the Clerk, for the faithful and satisfactory discharge of the duties of that office.

On motion of mr. Lillard, it was

Ordered,

That the senate be informed that this house is now ready to adjourn sine die.

message from the senate by mr. Moore:

Mr. Speaker,

I am instructed to inform the house that [illegible]